

9

LETTERS,

F R O M A

FARMER IN *PENNSYLVANIA*,

To the Inhabitants of the

BRITISH COLONIES;

R E G A R D I N G,

The RIGHT of TAXATION, and several
other Important Points.

To which are Added, as an

A P P E N D I X,

The SPEECHES of

LORD CHATHAM, and LORD CAMDEN,

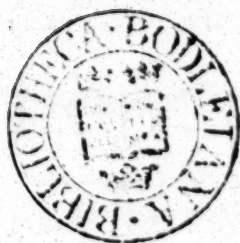
The one upon the STAMP ACT, the other
on the DECLARATORY BILL,

W I T H A

Preface by the DUBLIN EDITOR.

PRINTED FOR J. SHEPPARD IN SKINNER-ROW.

M,DCC,LXVIII.





THE EDITOR'S

P R E F A C E.

THE Farmer of *Pensylvania* has (in our Opinion) treated his Subject with that Loyalty and becoming Spirit, which distinguishes the Cause of Liberty from that of Licentiousness. In our happy Constitution, no Man can be properly said to be just to his Prince, without being just to the Rights of his Fellow-subjects; as on the other hand, he cannot be true to his Country, without being true to his King.

A very unfavourable Opinion of the People of *America* has, I know not how, crept abroad : And there are those in these Kingdoms, who rashly brand their Cause with the name of Rebellion; but methinks we, who are united under the same Head should be very cautious

how we entertain illiberal Prejudices against our Fellow-subjects; and ought, before we pass our Censure upon them, to examine what their Rights are, and with what Justice they can complain that these Rights are invaded. This End will be best answered by a careful Perusal of the following Sheets; where the *Irish* Reader cannot fail to find many useful and very interesting Reflections. In short, if we are generally tender of the Reputation of an Individual, let us now be tender of the Reputation of a People: By neglecting the former, we may injure the Happiness of one; by neglecting the latter, we may *heedlessly conspire with an artful Minister to destroy the Hopes of * Millions.*

The Right of *Great-Britain* to tax *America*, is thoroughly examined in the following Letters. It has been already generously and, I might perhaps say, unanswerably opposed in the grand Council of that Nation. Two noble Lords, the one distinguished for his Abilities as a Statesman, the other for his Knowledge in the Laws, and both for their powerful Eloquence, have bravely contended for the Liberty of *America*. Such exalted Characters, who possess so much feeling for the Rights of others, are a Blessing to a Nation: They preserve her from committing Injustice. He who supports the Rights of his own Country is an useful Citizen; but he who will go further and generously defend the Rights of others, is a

* The Inhabitants of the *British* Colonies are estimated at 3,000,000.

P R E F A C E. v

virtuous one. By the Counsel and Conduct of *Themistocles*, *Athens* flourished. He raised her to a greater Height of Glory and Reputation than any of his Predecessors: But his Ambition to augment her Power, drove him to Designs of the blackest Treachery against her Friends and Fellow-conquerors. The Probity and Prudence of *Aristides* were a necessary Check upon him.

But Justice, indeed, has ever been the peculiar Attribute of *Great-Britain*. Always watchful and jealous of her own Liberty, she regards, as sacred, the Liberty of others. That Freedom which she enjoys, in the most reasonable Extent, she has imparted to the remotest Corners of her Empire: Wisely judging, that nothing will render her Children so attentive to her Interest, and so affectionate to her Person, as the free Enjoyment of their Liberty and Property; which Rights, once confounded and destroyed, it might be pretty equal to them *who exercised the Despotism*.

“ It is,” says an * Author on Trade, “ the Interest, and ought to be the Care, of such as are entrusted with the Administration of Government, to see that every Part of the *British* Empire *amply* enjoys the Advantages derived from the Laws, and *that glorious Freedom*, which is the Result of maintaining them in full Vigour.—“ And as Obedience,”

* *Rolt*, in his Dictionary of Trade and Commerce, under the Head of *Great-Britain*.

says he a little farther, “ is expected from the
 “ remotest Quarters as well as from those bor-
 “ dering upon the Center of Government, so
 “ they are intitled to the *same Protection and*
 “ *Encouragement*; which, *while they receive,*
 “ there is no Doubt but Affairs will continue
 “ in a flourishing Condition, and the Fears
 “ which many have entertained, that some of
 “ the distant Colonies may throw off their Obe-
 “ dience to their Mother Country, will disap-
 “ pear as visionary Shadows: For it is in the
 “ Body Politic as in the Natural Body; while
 “ the vital Parts are strong and sound, the Con-
 “ stitution will be every where brisk and lively,
 “ and the Effects of it perfectly felt to its very
 “ Extremities.” These Words are remark-
 ably strong and pertinent to the present Posture
 of Affairs; and I protest, when I add them to
 what has been said by other Authors on the
 same Subject, I am much startled at the pre-
 sent adopted Policy.

“ * We have hitherto,” says *Postlethwayt*,
 speaking of the *Americans*, “ supplied them
 “ with a great Quantity of their Materials for
 “ wearing Apparel, Household Furniture, &c.
 “ but if they should establish these Manufac-
 “ tures among themselves, and encourage
 “ every Species of Artificers to settle among
 “ them, our Plantations may at length prove
 “ detrimental, instead of beneficial to these
 “ Kingdoms.”

* *Postlethwayt's* Dissertations on Commerce, Volume
 the 1st. Page the 104th.

Whether

P R E F A C E. vii

Whether a more ingenious Way than has lately been taken, could possibly be devised, to bring about all that this Author so justly apprehends, I will leave to every body to determine.

We have already seen the spirited Colonists unanimously resolve to put a stop to *British* Importations. An armed Force, perhaps, may awe them to comply with strange Taxes; but we can hardly be persuaded that it will ever be able to dictate to them how they shall dispose of that Fund, which *Great Britain* may think proper to leave them for their private *Necessities*.

In fine, it were much to be wished by every true Lover of his King and Country, that if any rash Measures have been projected, they may be wisely and seasonably relinquished: That *America*, on her Part, may ever adhere to that dutiful Dependence, which, to do her Justice, she continues respectfully to acknowledge; and that *Great Britain*, on her's, may reassume her wonted Generosity and Good-nature; that, being united firmly with her own *Kindred*, she may have none to oppose, but *Foreign Enemies*.

THE

T H E
B R I T I S H E D I T O R
T O T H E
R E A D E R.

W H E N I consider our Fellow-subjects in *America as rational Creatures*, I cannot but wonder, that during the present wide Difference of Sentiments in the two Countries, concerning the Power of Parliament in laying Taxes and Duties on *America*, no Application has been made to their *Understandings*, no able and learned Pen among us has been employed in *convincing* them that they are in the Wrong; proving clearly, that by the established Law of Nations, or by the Terms of their original Constitution, they are taxable by our Parliament, *though they have no Representative in it* *.

The Author † is a Gentleman of Repute in that Country, for his Knowledge of its affairs; and, it is said, speaks the *general Sentiments* of the Inhabitants. How far those Sentiments are right or wrong; I do not pretend at present to judge. I wish to see first, what can be said on the other side of the Question. I hope this Publication will produce a *full Answer*, if we can make one. If it does, this Publication will have had its Use. No Offence to Government is intended by it; and it is hoped none will be taken:
N. N.

* How far this has been effected by Mr. Canning's Publication, the Public are to judge.

† John Dickenson, Esq; Barrister

LETTERS,

FROM A

FARMER IN *PENNSYLVANIA*,

To the Inhabitants of the

BRITISH COLONIES.

LETTER I.

BELOVED COUNTRYMEN,

I AM a Farmer, settled, after a variety of fortunes, near the banks of the river Delaware, in the province of Pennsylvania. I received a liberal education, and have been engaged in the busy scenes of life; but am now convinced, that a man may be as happy without bustle, as with it. My farm is small; my servants are few, and good; I have a little money at interest; I wish for no more; my employment in my own affairs is easy; and with a contented grateful mind, undisturbed by worldly hopes or fears, relating to myself, I am completing the number of days allotted to me by divine goodness.

Being master of my time, I spend a good deal of it in a library, which I think the most
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Being master of my time, I spend a good deal of it in a library, which I think the most
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valuable part of my small estate; and being acquainted with two or three gentlemen of abilities and learning, who honour me with their friendship, I have acquired, I believe, a greater knowledge in history, and the laws and constitution of my country, than is generally attained by men of my class, many of them not being so fortunate as I have been in the opportunities of getting information.

From my infancy I was taught to love humanity and liberty. Enquiry and Experience have since confirmed my reverence for the lessons then given to me, by convincing me more fully of their truth and excellence. Benevolence towards mankind, excites wishes for their welfare, and such wishes endear the means of fulfilling them. These can be found in liberty only: therefore her sacred cause ought to be espoused, by every man, on every occasion, to the utmost of his power. As a charitable but poor person does not withhold his mite, because he cannot relieve all the distresses of the miserable, so let not any honest man suppress his sentiments concerning freedom, however small their influence is likely to be. Perhaps he "may touch some Wheel*," that will have an effect greater than he expects.

These being my sentiments, I am encouraged to offer to you, my countrymen, my thoughts on some late transactions, that appear to me to be of the utmost importance to you. Conscious of my own defects, I have waited some time, in expectation of seeing the subject treated by persons much better qualified for the task; but being therein disappointed, and apprehensive

* POPE.

that

that longer delays will be injurious, I venture at length to request the attention of the public, praying only for one thing, that is, that these lines may be read with the same zeal for the happiness of British America, with which they were wrote.

With a good deal of surprize I have observed, that little notice has been taken of an act of parliament, as injurious in its principle to the liberties of these colonies, as the stamp-act was: I mean the act for suspending the legislation of New-York.

The assembly of that government complied with a former act of parliament, requiring certain provisions to be made for the troops in America, in every particular, I think, except the articles of salt, pepper and vinegar. In my opinion they acted imprudently, considering all circumstances, in not complying so far as would have given satisfaction, as several colonies did: but my dislike of their conduct in that instance, has not blinded me so much that I cannot plainly perceive, that they have been punished in a manner pernicious to American freedom, and justly alarming to all the colonies.

If the British parliament has a legal authority to order that we shall furnish a single article for the troops here, and to compel obedience to that order, they have the same right to order us to supply those troops with arms, cloaths, and every necessary; and to compel obedience to that order also; in short, to lay any burdens the please upon us. What is this but taking us at a certain sum, and leaving to us only the manner of raising it? How is this mode more tolerable than the stamp-act? Would that act

have appeared more pleasing to Americans, if being ordered thereby to raise the sum total of the taxes, the mighty privilege had been left to them, of saying how much should be paid for an instrument of writing on paper, and how much for another on parchment?

An act of parliament, commanding us to do a certain thing, if it has any validity, is a tax upon us for the expence that accrues in complying with it; and for this reason, I believe, every colony on the continent, that chose to give a mark of their respect for Great Britain, in complying with the act relating to the troops, cautiously avoided the mention of that act, lest their conduct should be attributed to its supposed obligation.

The matter being thus stated, if the assembly of New-York, had a right to refuse submission to that act (and that they had, I imagine no American will deny) then the parliament had no right to compel them to execute it; and if they had no right to compel them to execute it, they had no right punish them for not executing it; and therefore, no right to suspend their legislation, which is a punishment. In fact, if the people of New-York cannot be legally taxed but by their own representatives, they cannot be legally deprived of the privilege of making laws, only for insisting on that exclusive privilege of taxation. If they may be legally deprived in such a case, of the privilege of making laws, why may they not, with equal reason, be deprived of every other privilege? Or why may not every colony be treated in the same manner, when any of them shall

shall dare to deny their assent to any impositions, that shall be directed? Or what signifies the repeal of the stamp act, if these colonies are to lose their other privileges, by not tamely surrendering that of taxation?

There is one consideration arising from this suspension, which is not generally attended to, but shews its importance very clearly. It was not necessary that this suspension should be caused by an act of parliament. The crown might have restrained the governor of New-York, even from calling the assembly together, by its prerogative in the royal governments. This step, I suppose, would have been taken, if the conduct of the assembly of New-York had been regarded as an act of disobedience to the crown alone; but it is regarded as an act of "disobedience to the authority of the *British Legislature*." This gives the suspension a consequence vastly more affecting. It is a parliamentary assertion of the supreme authority of the British legislature over these colonies in the point of taxation, and is intended to *compel* New-York into a submission to that authority. It seems therefore to me as much a violation of the liberties of the people of that province, and consequently of all these colonies, as if the parliament had sent a number of regiments to be quartered upon them till they should comply. For it is evident, that the suspension is meant as a compulsion; and the method of compelling is totally indifferent. It is indeed probable, that the sight of red coats, and the hearing of drums, would be most alarming; because people are generally more influenced by their eyes
and

and ears, than by their reason. But whoever seriously considers the matter, must perceive that a dreadful stroke is aimed at the liberty of these colonies. I say, of these colonies; for the cause of one is the cause of all. If the parliament may lawfully deprive New-York of any of her rights, it may deprive any, or all the other colonies of their rights; and nothing can possibly so much encourage such attempts, as a mutual inattention to the interests of each other. To divide, and thus to destroy, is the first political maxim in attacking those, who are powerful by their union. He certainly is not a wise man, who folds his arms, and reposes himself at home, viewing, with unconcern, the flames that have invaded his neighbour's house, without using any endeavours to extinguish them. When Mr. Hampden's ship-money cause, for three shillings and four-pence, was tried, all the people of England, with anxious expectation, interested themselves in the important decision; and when the slightest point, touching the freedom of one colony, is agitated, I earnestly wish, that all the rest may, with equal ardour, support their sister. Very much may be said on this subject; but, I hope, more at present is unnecessary.

With concern I have observed, that two assemblies of this province have sat and adjourned, without taking any notice of this act. It may perhaps be asked, what would have been proper for them to do? I am by no means fond of inflammatory measures; I detest them. I should be sorry that any thing should be done, which might justly displease our sovereign,

LETTER II.

15

reign, or our mother country: but a firm, modest exertion of a free spirit, should never be wanting on public occasions. It appears to me, that it would have been sufficient for the assembly, to have ordered our agents to represent to the King's ministers, their sense of the suspending act, and to pray for its repeal. Thus we should have borne our testimony against it; and might therefore reasonably expect that, on a like occasion, we might receive the same assistance from the other colonies.

* November 5. A FARMER.

Concordia res parvæ crescunt.

Small things grow great by concord.

LETTER II.

Beloved Countrymen,

THERE is another late act of parliament, which appears to me to be unconstitutional, and as destructive to the liberty of these colonies, as that mentioned in my last letter; that is, the act for granting the duties on paper, glass, &c.

The parliament unquestionably possesses a legal authority to regulate the trade of Great-Britain, and all her colonies. Such an authority is essential to the relation between a mother country and her colonies; and necessary for the common good of all. He, who considers these provinces as states distinct from the British empire, has very slender notions of

* The day of King William the Third's landing.

justice,

justice, or of their interests. We are but parts of a whole; and therefore there must exist a power somewhere, to preside, and preserve the connection in due order. This power is lodged in the parliament; and we are as much dependant on Great-Britain, as a perfectly free people can be on another.

I have looked over every statute relating to these colonies, from their first settlement to this time; and I find every one of them founded on this principle, till the stamp-act administration*. All before, are calculated to regulate trade, and preserve or promote a mutually beneficial intercourse between the several constituent parts of the empire; and though many of them imposed duties on trade, yet those duties were always imposed with design to restrain the commerce of one part, that was injurious to another, and thus to promote the general welfare. The raising a revenue thereby was never intended. Thus, the King by his judges in his courts of justice,

* For the satisfaction of the reader, recitals from the former acts of parliament relating to these colonies are added. By comparing these with the modern acts, he will perceive their great difference in expression and intention.

The 12th Charles, chap. 18, which forms the foundation of the laws relating to our trade, by enacting that certain productions of the colonies should be carried to England only, and that no goods should be imported from the plantations but in ships belonging to England, Ireland, Wales, Berwick, or the Plantations, &c. begins thus: "For the encrease of shipping, and encouragement of the navigation of this nation, wherein, under the good providence and protection of God, the wealth, safety, and strength of this kingdom is so much concerned," &c.

imposes

imposes fines, which all together amount to a very considerable sum, and contribute to the support of government : But this is merely a consequence arising from restrictions, that only meant to keep peace, and prevent confusion; and surely a man would argue very loosely, who should conclude from hence, that the King has a right to levy money in general upon his subjects. Never did the British parliament, till the period above-mentioned, think of imposing duties in America, *for the purpose of raising a revenue*. Mr. Grenville first introduced this language, in the preamble of the 4th of Geo. III. chap. 15, which has these words——“ And whereas it is just and necessary that *a revenue be raised in your Majesty's said dominions in America*, for defraying the expences of defending, protecting, and securing the same : we your majesty's most dutiful and loyal subjects, *the commons of Great-Britain*, in parliament assembled, being desirous to make some provision in this present session of parliament, *towards raising the said revenue in America*, have resolved to give and grant unto your majesty the several rates and duties herein after mentioned,” &c.

A few months after came the stamp act, which reciting this, proceeds in the same strange mode of expression, thus——“ And whereas it is just and necessary, that provision be made *for raising a further revenue within your majesty's dominions in America*, towards defraying the said expences, we your majesty's most dutiful and loyal subjects, *the*

C

commons

commons of Grea.-Britain. &c. give and grant," &c. as before.

The last act, granting duties upon paper, &c. carefully pursues these modern precedents. The preamble is, "Whereas it is expedient, *that a revenue should be raised in your majesty's dominions in America*, for making a more certain and adequate provision for defraying the charge of the administration of justice, and the support of civil government in such provinces, where it shall be found necessary; and towards the further defraying the expences of defending, protecting and securing the said dominions, we your majesty's most dutiful and loyal subjects, *the commons of Great Britain, &c. give and grant,"* &c. as before.

Here we may observe an authority expressly claimed and exerted to impose duties on those colonies; not for the regulation of trade; not for the preservation or promotion of a mutually beneficial intercourse between the several constituent parts of the empire, heretofore the sole objects of parliamentary institutions; but for the single purpose of levying money upon us.

This I call an * innovation; and a most dangerous innovation. It may perhaps be objected, that *Great-Britain* has a right to lay

* It is worthy observation how quietly subsidies, granted in forms usual and accustomable (though heavy) are borne: such a power hath use and custom. On the other side, what discontents and disturbances subsidies framed in a new mould do raise (*such an inbred hatred novelty doth hatch*) is evident by examples of former times. Lord Coke's 2d institute, p. 33.

what

what duties she pleases upon her * exports, and it makes no difference to us, whether they are paid here or there.

To this I answer. These colonies require many things for their use, which the laws of *Great-Britain* prohibit them from getting any where but from her. Such are paper and glass.

That we may be legally bound to pay any general duties on these commodities, relative to the regulation of trade, is granted; but we being obliged by her laws to take them from *Great-Britain*, any special duties imposed on their exportation to us only, with intention to raise a revenue from us only, are as much taxes upon us, as those imposed by the stamp-act.

What is the difference in substance and right, whether the same sum is raised upon us by the rates mentioned in the stamp-act, on the use of paper, or by these duties on the importation of it? It is nothing but the edition of a former book, with a new title page.

Suppose the duties were made payable in *Great-Britain*?

It signifies nothing to us, whether they are to be paid here or there. Had the stamp-act

* Some people think that *Great-Britain* has the same right to impose duties on the exports to these colonies, as on the exports to *Spain* and *Portugal*, &c. Such persons attend so much to the idea of exportation, that they entirely drop that of the connection between the mother country and her colonies. If *Great-Britain* had always claimed, and exercised an authority to compel *Spain* and *Portugal* to import manufactures from her only, the cases would be parallel; but as she never pretended to such a right, they are at liberty to get them where they please; and if they chuse to take them from her, rather than from other nations, they voluntarily consent to pay the duties imposed on them.

directed, that all the paper should be landed at *Florida*, and the duties paid there, before it was brought to the British colonies, would the act have raised less money upon us, or have been less destructive of our rights? By no means: For as we were under a necessity of using the paper, we should have been under the necessity of paying the duties. Thus, in the present case, a like necessity will subject us, if this act continues in force, to the payment of the duties now imposed.

Why was the stamp-act then so pernicious to freedom? It did not enact, that every man in the colonies should buy a certain quantity of paper.—No: it only directed, that no instrument of writing should be valid in law, if not made on stamped paper, &c.

The makers of that act knew full well, that the confusions that would arise from the disuse of writings, would *compel* the colonies to use the stamped paper, and therefore to pay the taxes imposed. For this reason the stamp-act was said to be a law *that would execute itself*. For the same reason, the last act of parliament, if it is granted to have any force here, *will execute itself*, and will be attended with the very same consequences to *American* liberty.

Some persons perhaps may say, that this act lays us under no necessity to pay the duties imposed, because we may ourselves manufacture the articles on which they are laid; whereas by the stamp-act no instrument of writing could be good, unless made on British paper, and that too stamped.

Such an objection amounts to no more than this, that the injury resulting to these colonies, from

from the total disuse of British paper and glass will not be so afflicting as that which would have resulted from the total disuse of writing among them; for by that means even the stamp-act might have been eluded. Why then was it universally detested by them as slavery itself? Because it presented to these devoted provinces nothing but a choice of calamities, imbibited by indignities, each of which it was unworthy of freemen to bear. But is not a violation of right doing us the greatest injury? If the eluding the payment of the taxes imposed by the stamp-act, would have subjected us to a more dreadful inconvenience, than the eluding the payment of those imposed by the late act; does it therefore follow, that the last is no violation of our rights, though it is calculated for the same purpose that the other was, that is, to raise money upon us, *without our consent*?

This would be making right to consist, not in an exemption from injury, but from a certain degree of injury.

But the objectors may further say, that we shall suffer no injury at all by the disuse of British paper and glass. We might not, if we could make as much as we want. But can any man, acquainted with America, believe this possible? I am told there are but two or three glass-houses upon this continent, and but very few paper-mills; and suppose more should be erected, a long course of years must elapse, before they can be brought to perfection. This continent is a country of planters, farmers, and fishermen; not of manufacturers. The difficulty of establishing particular manufactures in such a country, is almost insuperable. For one
manufacture

manufacture is connected with others in such a manner, that it may be said to be impossible to establish one or two, without establishing several others. The experience of many nations may convince us of this truth.

Inexpressible therefore must be our distresses in evading the late acts, by the disuse of British paper and glass. Nor will this be the extent of our misfortune, if we admit the legality of that act.

Great-Britain has prohibited the manufacturing iron and steel in these colonies, without any objection to her right of doing it. The like right she must have to prohibit any other manufacture among us. Thus she is possessed of an undisputed precedent on that point. This authority, she will say, is founded on the original intention of settling these colonies; that is, that she should manufacture for them, and that they should supply her with materials. The equity of this policy, she will also say, has been universally acknowledged by the colonies, who never made the least objection to statutes for that purpose; and will further appear by the mutual benefits flowing from this usage, ever since the settlements of these colonies.

Our great advocate, Mr. Pitt, in his speeches on the debate concerning the stamp-act, acknowledged, that Great-Britain could restrain our manufactures. His words are these——
“ This kingdom, as the supreme governing and legislative power, has *always* bound the colonies by her regulations and *restrictions* in trade, in navigation, in *manufactures*—in every thing, except that of taking the money out of their pockets, *without their consent*.” Again he says,
“ we

“ we may bind their trade, *confine their manufactures*, and exercise every power whatever, except that of taking the money out of their pockets, *without their consent*.”

Here then, my dear countrymen, *rouse* yourselves, and behold the ruin hanging over your heads. If you ONCE admit, that Great-Britain may lay duties upon her exportations to us, for the purpose of levying money upon us only, she then will have nothing to do, but to lay those duties on the articles which she prohibits us to manufacture—and the tragedy of American liberty is finished. We have been prohibited, from procuring manufactures, in all cases, any where but from Great-Britain (excepting linens, which we are permitted to import directly from Ireland.) We have been prohibited, in some cases, from manufacturing for ourselves; and may be prohibited in others. We are therefore exactly in the situation of a city besieged, which is surrounded by the works of the besiegers in every part but one. If that is closed up, no step can be taken, but to surrender at discretion. If Great-Britain can order us to come to her for necessaries we want, and can order us to pay what taxes she pleases, before we take them away, or when we land them here, we are as abject slaves as France and Poland can shew in wooden shoes, and with uncombed hair *.

Perhaps the nature of the necessities of dependant states, caused by the policy of a governing

* The peasants of France wear wooden shoes; and the vassals of Poland are remarkable for matted hair, which never can be combed.

one, for her own benefit, may be elucidated by a fact mentioned in history. When the Carthaginians were possessed of the island of Sardinia, they made a decree, that the Sardinians should not raise corn, nor get it any other way than from the Carthaginians. Then, by imposing any duties they would upon it, they drained from the miserable Sardinians any sums they pleased; and whenever that oppressed people made the least movement to assert their liberty, their tyrants starved them to death or submission. This may be called the most perfect kind of political necessity.

From what has been said, I think this uncontrovertible conclusion may be deduced, that when a ruling state obliges a dependant state to take certain commodities from her alone, it is implied in the nature of that obligation; is essentially requisite to give it the least degree of justice; and is inseparably united with it, in order to preserve any share of freedom to the dependant state; that those commodities should never be loaded with duties, *for the sole purpose of levying money on the dependant state.*

Upon the whole, the single question is, whether the parliament can legally impose duties to be paid by the people of these colonies only, *for the sole purpose of raising a revenue*, on commodities which she obliges us to take from her alone; or, in other words, whether the parliament can legally take money out of our pockets, without our consent. If they can, our boasted liberty is but

Vox et præterea nihil.

A sound, and nothing else.

A FARMER.
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LETTER III.

Beloved Countrymen,

I Rejoice to find, that my two former letters to you, have been generally received with so much favour by such of you, whose sentiments I have had an opportunity of knowing. Could you look into my heart, you would instantly perceive an ardent affection for your persons, a zealous attachment to your interests, a lively resentment of every insult and injury offered to your honour or happiness, and an inflexible resolution to assert your rights, to the utmost of my weak power, to be the only motives that have engaged me to address you.

I am no further concerned in any thing affecting *America*, than any one of you; and when liberty leaves it, I can quit it much more conveniently than most of you: but while divine providence, that gave me existence in a land of freedom, permits my head to think, my lips to speak, and my hands to move, I shall so highly and gratefully value the blessing received, as to take care, that my silence and inactivity shall not give my implied assent to any act, degrading my brethren and myself from the birth-right, wherewith heaven itself "hath made us free *."

Sorry I am to learn, that there are some few persons, who shake their heads with solemn motion, and pretend to wonder, what can be the meaning of these letters. 'Great-Britain,' they say, 'is too powerful to contend with;

* *Gal. v. 1.*

‘ she is determined to oppress us; it is in vain
 ‘ to speak of right on one side, when there is
 ‘ power on the other; when we are strong
 ‘ enough to resist, we shall attempt it; but now
 ‘ we are not strong enough, and therefore we
 ‘ had better be quiet; it signifies nothing to
 ‘ convince us that our rights are invaded, when
 ‘ we cannot defend them; and if we should get
 ‘ into riots and tumults about the late act, it
 ‘ will only draw down heavier displeasure upon
 ‘ us.”

What can such men design? What do their grave observations amount to, but this—‘ that
 ‘ these colonies, totally regardless of their liberties, should commit them, with humble
 ‘ resignation, to chance, time, and the tender
 ‘ mercies of ministers?’

Are these men ignorant, that usurpations, which might have been successfully opposed at first, acquire strength by continuance, and thus become irresistible? Do they condemn the conduct of these colonies, concerning the stamp-act? Or have they forgot its successful issue? Ought the colonies at that time, instead of acting as they did, to have trusted for relief, to the fortuitous events of futurity? If it is needless to ‘ speak of rights’ now, it was as needless then. If the behaviour of the colonies was prudent and glorious then, and successful too; it will be equally prudent and glorious to act in the same manner now, if our rights are equally invaded, and may be as successful. Therefore it becomes necessary to enquire, whether ‘ our rights are invaded?’ To talk of ‘ defending’ them, as if they could be no otherwise

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wife 'defended' than by arms, is as much out of the way, as if a man having a choice of several roads to reach his journey's end, should prefer the worst, for no other reason, but because it is the worst.

As to 'riots and tumults,' the gentlemen who are so apprehensive of them, are much mistaken, if they think that grievances cannot be redressed without such assistance.

I will now tell the gentlemen, what is 'the meaning of these letters.' The meaning of them is, to convince the people of these colonies, that they are at this moment exposed to the most imminent dangers: and to persuade them immediately, vigorously, and unanimously, to exert themselves, in the most firm, but most peaceable manner, for obtaining relief.

The cause of liberty is a cause of too much dignity, to be sullied by turbulence and tumult. It ought to be maintained in a manner suitable to her nature. Those who engage in it, should breathe a sedate, yet fervent spirit, animating them to actions of prudence, justice, modesty, bravery, humanity and magnanimity.

To such a wonderful degree were the antient Spartans, as brave and free a people as ever existed, inspired by this happy temperature of soul, that rejecting even in their battles the use of trumpets, and other instruments for exciting heat and rage, they marched up to scenes of havock and horror*, with the sound of flutes, to the tunes of which their steps kept pace—

* *Plutarch* in the life of *Lycurgus*. *Archbishop Potter's* *Archæologia Græca*.

'exhibiting,' as Plutarch says, "at once a terrible and delightful sight, and proceeding with a deliberate valour, full of hope and good assurance, as if some divinity had sensibly assisted them."

I hope, my dear countrymen, that you will, in every colony, be upon your guard against those, who may at any time endeavour to stir you up, under pretences of patriotism, to any measures, disrespectful to our sovereign and our mother country. Hot, rash, disorderly proceedings, injure the reputation of a people, as to wisdom, valour and virtue, without procuring them the least benefit. I pray *God*, that he may be pleased to inspire you and your posterity, to the latest ages, with that spirit of which I have an idea, but find a difficulty to express. To express it in the best manner I can, I mean a spirit, that shall so guide you, that it will be impossible to determine whether an American's character is most distinguishable, for his loyalty to his sovereign, his duty to his mother country; his love of freedom, or his affection for his native soil.

Every government at some time or other falls into wrong measures. These may proceed from mistake or passion. But every such measure does not dissolve the obligation between the governors and the governed. The mistake may be corrected; the passion may pass over. It is the duty of the governed to endeavour to rectify the mistake, and to appease the passion. They have not at first any other right, than to represent their grievances, and to pray for redress, unless an emergence is so pressing, as not
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to allow time for receiving an answer to their applications, which rarely happens. If their applications are disregarded, then that kind of opposition becomes justifiable, which can be made without breaking the laws, or disturbing the public peace. This consists in the prevention of the oppressors reaping advantage from their oppressions, and not in their punishment. For experience may teach them, what reason did not ; and harsh methods cannot be proper, till milder ones have failed.

If at length it becomes *undoubted*, that an inveterate resolution is formed to annihilate the liberties of the governed, the English history affords frequent examples of resistance by force. What particular circumstances will in any future case justify such resistance, can never be ascertained, till they happen. Perhaps it may be allowable to say generally, that it never can be justifiable, untill the people are *fully convinced*, that any further submission will be destructive to their happiness.

When the appeal is made to the sword, highly probable it is, that the punishment will exceed the offence ; and the calamity attending on war, out-weigh those preceding it. These considerations of justice and prudence, will always have great influence with good and wise men.

To these reflections on this subject, it remains to be added, and ought for ever to be remembered, that resistance, in the case of the colonies against their mother country, is extremely different from the resistance of a people against their prince. A nation may change their king,
or

or race of kings, and, retaining their ancient form of government, be gainers by changing. Thus Great-Britain, under the illustrious house of Brunswick, a house that seems to flourish for the happiness of mankind, has found a felicity unknown in the reign of the Stewarts. But if once we are separated from our mother country, what new form of government shall we adopt, or where shall we find another Britain, to supply our loss? Torn from the body, to which we are united by religion, liberty, laws, affections, relation, language, and commerce, we must bleed at every vein.

In truth—the prosperity of these provinces is founded in their dependance on Great Britain; and when she returns to “her old good humour and her old good nature,” as Lord Clarendon expresses it, I hope they will always think it their duty and interest, as it most certainly will be, to promote her welfare by all the means in their power.

We cannot act with too much caution in our disputes. Anger produces anger; and differences, that might be accommodated by kind and respectful behaviour, may, by imprudence, be enlarged to an incurable rage. In quarrels between countries, as well as in those between individuals, when they have risen to a certain height, the first cause of dissention is no longer remembered, the minds of the parties being wholly engaged in recollecting and resenting the mutual expressions of their dislike. When feuds have reached that fatal point, all considerations of reason and equity vanish; and a blind fury governs, or rather confounds all things.

things. A people no longer regards their interest, but the gratification of their wrath. The sway of the * Cleons and Clodius's, the designing and detestable flatterers of the prevailing passion, becomes confirmed. Wise and good men in vain oppose the storm, and may think themselves fortunate, if, in attempting to preserve their ungrateful fellow citizens they do not ruin themselves. Their prudence will be called baseness; their moderation guilt; and if their virtue does not lead them to destruction as that of many other great and excellent persons has done, they may survive to receive from their expiring country, the mournful glory of her acknowledgment, that their counsels, if regarded, would have saved her.

The constitutional modes of obtaining relief, are those which I wish to see pursued on the present occasion; that is, by petitions of our assemblies, or where they are not permitted to meet, of the people, to the powers that can afford us relief.

We have an excellent prince, in whose good dispositions towards us we may confide. We have a generous, sensible and humane nation, to whom we may apply. They may be deceived. They may, by artful men, be provoked to anger against us. I cannot believe they will be cruel or unjust; or that their anger will be implacable. Let us behave like dutiful children, who have received unmerited blows from a beloved parent. Let us complain to our pa-

* *Cleon* was a popular firebrand of *Athens*, and *Clodius* of *Rome*; each of whom plunged his country into the deepest calamities.

rent; but let our complaints speak at the same time the language of affliction and veneration.

If, however, it shall happen, by an unfortunate course of affairs, that our applications to his majesty and the parliament for redress, prove ineffectual, let us *then* take another step, by with-holding from *Great-Britain* all the advantages she has been used to receive from us. *Then* let us try, if our ingenuity, industry, and frugality, will not give weight to our remonstrances. Let us all be united with one spirit, in one cause. Let us invent—let us work—let us save—let us, at the same time, keep up our claim, and incessantly repeat our complaints—But, above all, let us implore the protection of that infinitely good and gracious being, * ‘by whom kings reign, and princes decree justice.’

Nil desperandum.

Nothing is to be despaired of.

A F A R M E R.

L E T T E R IV.

Beloved Countrymen,

AN objection, I hear, has been made against what I offered in my second letter, which I would willingly clear up before I proceed. ‘There is,’ say these objectors, ‘a material difference between the stamp-act and the late act for laying a duty on paper, &c. that justifies the conduct of those who opposed the former, and yet are willing to submit to the latter. The duties imposed by the stamp-act were internal taxes; but the present are external,

* PROV. viii 15.

‘ and

and therefore the parliament may have a right to impose them."

To this I answer, with a total denial of the power of parliament to lay upon these colonies any "tax" whatever.

This point, being so important to this, and to succeeding generations, I wish to be clearly understood.

To the word "tax," I annex that meaning which the constitution and history of England require to be annexed to it; that is — that it is an imposition on the subject, for the sole purpose of levying money.

In the early ages of our monarchy, certain services were rendered to the crown for the general good. These were personal *: but, in process of time, such institutions being found

* It is very worthy of remark, how watchful our wise ancestors were, lest their services should be encreased beyond what the law allowed. No man was bound to go out of the realm to serve the king. Therefore, even in the conquering reign of Henry the fifth, when the martial spirit of the nation was highly enflamed by the heroic courage of their prince, and by his great success, they still carefully guarded against the establishment of illegal services. "When this point (says lord chief justice Coke) concerning maintenance of wars out of England, came in question, the *commons* did make their continual claim of their antient freedom and birthright, as in the first of Henry the fifth, and in the seventh of Henry the fifth, &c. the *commons* made a *protest*, that they were not bound to the maintenance of war in Scotland, Ireland, Calais, France, Normandy, or other foreign parts, and caused their *protests* to be entered into the parliament rolls, where they yet remain; which, in effect, agreeth with that which, upon like occasion, was made in the parliament of 25th Edward I." 2d Inst. p. 528.

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inconvenient, gifts and grants of their own property were made by the people, under the several names of aids, tallages, tasks, taxes and subsidies, &c. These were made, as may be collected even from the names, for public service upon "need and necessity *." All these sums were levied upon the people by virtue of their voluntary gift §. Their design was to support

† 4th Inst. p. 28.

‡ *Reges Angliæ, nihil tale, nisi convocatis primis ordinibus, et assentiente populo suscipiunt.* Phil. Comines.

These gifts entirely depending on the pleasure of the donors, were proportioned to the abilities of the several ranks of people who gave, and were regulated by their opinion of the public necessities. Thus Edward I. had in his 11th year a thirtieth from the laity, a twentieth from the clergy; in his 22d year a tenth from the laity, a sixth from London, and other corporate towns, half of their benefices from the clergy; in his 23d year an eleventh from the barons and others, a tenth from the clergy, a seventh from the burghesses, &c *Hume's History of England.*

The same difference in the grants of the several ranks is observable in other reigns. In the famous statute *de tallagio non concedendo*, the king enumerates the several classes, without whose consent, he and his heirs never should set or levy any tax—"nullum tallagium, vel auxilium per nos, vel hæredes nostros in regno nostro ponatur seu levitur, sine voluntate et assensu archiepiscoporum, episcoporum, comitum, baronum, militum, burgensium, et aliorum liberorum com. de regno nostro." 34th Edward I.

Lord Chief Justice Coke, in his comment on these words, says—"for the quieting of the commons and for a perpetual and constant law for ever after, both in this and other like cases, this act was made." "These words are plain without any scruple, absolute, without any saving. 2d Coke's Inst. p. 532. 533. Little did the venerable judge imagine, that "other like cases" would happen, in which the spirit of this law would be despised by Englishmen, the posterity of those who made it.

support the national honour and interest. Some of those grants comprehended duties arising from trade; being imposts on merchandizes. These Lord Chief Justice Coke classes under "subsidies," and "parliamentary aids." They are also called "customs." But whatever the name was, they are always considered as gifts of the people to the crown, to be employed for public uses.

Commerce was at a low ebb, and surprising instances might be produced how little it was attended to for a succession of ages. The terms that have been mentioned, and, among the rest, that of "tax," had obtained a national, parliamentary meaning, drawn from the principles of the constitution, long before any Englishman thought of regulations of trade, by the imposition of duties.

Whenever we speak of "taxes" among Englishmen, let us therefore speak of them with reference to the intentions with which, and the principles on which they have been established. This will give certainty to our expression, and safety to our conduct: but if, when we have in view the liberty of those colonies, and the influence of taxes laid without our consent, we proceed in any other course, we pursue a Juno * indeed, but shall only catch a cloud.

In the national, parliamentary sense insisted on, the word "tax †" was certainly under-

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stood

* The goddess of Empire, in Heathen Mythology; according to the antient fable, Ixion pursued her, but she escaped in a cloud.

† In this sense Montesquieu uses the word "tax," in his 13th book of the Spirit of laws.

stood by the congress at New-York, whose resolves may be said to form the American "bill of rights,"

The third, fourth, fifth and sixth resolves, are thus expressed.

III. "That it is inseparably essential to the freedom of a people, and the undoubted right of Englishmen, that *no tax* be imposed on them, but with their own consent, given personally, or by their representatives.

IV. "That the people of the colonies are not, and, from their local circumstances cannot be represented in the house of commons in Great-Britain."

V. "That the only representatives of the people of the colonies, are the persons chosen therein by themselves; and that *no taxes* have been, or can be constitutionally imposed on them, but by their respective legislatures."

VI. "That *all* supplies to the crown, being free gifts of the people, it is unreasonable, and inconsistent with the principles and spirit of the British constitution, for the people of Great Britain to grant to his majesty the property of the colonies."

Here is no distinction made between internal and external taxes. It is evident from the short reasoning thrown into these resolves, that every imposition "to grant to his majesty the property of the colonies," was thought a tax; and that every such imposition, if laid any other way, but "with their consent, given personally, or by their representatives," was not only "unreasonable, and inconsistent with the principles and spirit of the British constitution."

constitution," but destructive "to the freedom of a people."

This language is clear and important, A "*tax*" means an imposition to raise money. Such persons therefore as speak of internal and external "*taxes*," I pray may pardon me, if I object to that expression, as applied to the privileges and interests of these colonies. There may be internal and external *impositions* founded on different principles, and having different tendencies; every "*tax*" being an imposition, though every imposition is not a "*tax*." But all taxes are founded on the same principle; and have the same tendency.

External impositions, for the regulation of our trade, do not "grant to his majesty the property of the colonies." They only prevent the colonies acquiring property, in things necessary, in a manner judged to be injurious to the welfare of the whole empire. But the last statute respecting us, "grants to his majesty the property of the colonies," by laying duties on the manufactures of Great-Britain which they *must* take, and which she settled them, on purpose that they *should* take.

What * tax can be more internal than this? Here is money drawn without their consent, from

* It seems to be evident, that Mr. Pitt, in his defence of America, during the debate concerning the repeal of the stamp-act, by "internal taxes," meant any duties "for the purpose of raising a revenue; and by "external taxes," meant "duties imposed for the regulation of trade." His expressions are these — "If the gentleman does not understand the difference between internal and external taxes I cannot help it; but there is a plain distinction between

from a society, who have constantly enjoyed a constitutional mode of raising all money among themselves. The payment of this tax they have no possible method of avoiding; as they cannot do without the commodities on which it is laid, and they cannot manufacture these commodities themselves. Besides, if this unhappy country should be so lucky as to elude this act, by getting parchment enough, in the place of paper, or by reviving the antient method of writing on wax and bark, and by inventing something to serve instead of glass, her ingenuity would stand her in little stead; for then the parliament would have nothing to do but to prohibit such manu-

tween taxes levied *for the purposes of raising a revenue*, and duties imposed *for the regulation of trade*, for the accommodation of the subject; although, in the consequences, some revenue might incidentally arise from the latter."

These words were in Mr. Pitt's reply to Mr. Grenville, who said he could not understand the difference between external and internal taxes. But Mr. Pitt, in his first speech, had made no such distinction; and his meaning, when he mentions the distinction, appears to be——that by "external taxes," he intended impositions, for the purpose of regulating the intercourse of the colonies with others; and by "internal taxes," he intended impositions, for the purpose of taking money for them.

In every other part of his speeches on that occasion, his words confirm this construction of his expressions. The following extracts will shew how positive and general were his assertions of our right.

"It is my opinion that this kingdom has NO RIGHT to lay A TAX upon the colonies."—The *Americans* are the SONS, not the BASTARDS of *England*. TAXATION is NO PART of the governing or legislative power."—"The taxes are a voluntary gift and grant of the commons ALONE. In

LEGI-

factures, or to lay a tax on hats and woollen cloths, which they have already prohibited the colonies from supplying each other with; or on instruments and tools of steel and iron, which they have prohibited the provincials from ma-

LEGISLATION the THREE estates of the realm are ALIKE concerned, but the concurrence of the PEERS and the CROWN to a TAX, is only necessary to close with the FORM of a law. The GIFT and GRANT is of the COMMONS ALONE.—“The distinction between LEGISLATION and TAXATION is essentially necessary to liberty.”—“The COMMONS of *America*, represented in their several assemblies, have ever been in possession of the exercise of this, their constitutional right, of GIVING and GRANTING their OWN MONEY. *They would have been SLAVES, if they had not enjoyed it.*”—“The idea of a *virtual* representation of *America* in this house, is the most contemptible idea that ever entered into the head of man. It does not deserve a serious refutation.”

He afterwards shews the unreasonableness of *Great Britain* taxing *America*, thus — “When I had the honour of serving his Majesty, I availed myself of the means of information, which I derived from my office: I SPEAK THEREFORE FROM KNOWLEDGE. My materials were good. I was at pains to *collect*, to *digest*, to *consider* them; and *I will be bold to affirm*, that the profit to *Great Britain* from the trade of the colonies, through all its branches, is TWO MILLIONS A YEAR. *This* is the fund that carried you triumphantly through the last war. The estates that were rented at two thousand pounds a year, threescore years ago, are at three thousand pounds at present. Those estates sold then from fifteen to eighteen years purchase; the same may now be sold for thirty. YOU OWE THIS TO AMERICA. THIS IS THE PRICE THAT AMERICA PAYS YOU FOR HER PROTECTION.” — “I dare not say how much higher these profits may be augmented.” — “Upon the whole, I will beg leave to tell the house what is really my opinion; it is, that the stamp-act be repealed absolutely, totally, and immediately. That the reason for the repeal be assigned, because it was founded on an ERRONEOUS PRINCIPLE.”

nufacturing

nufacturing at all *: And then, what little gold and silver we have, must be torn from their hands, or they will not be able, in a short time, to get an axe †, for cutting their firewood, nor a plough, for raising their food. In what respect, therefore, I beg leave to ask, is the late act preferable to the stamp-act, or more consistent with the liberties of the colonies? For my own part, I regard them both with equal apprehension; and think they ought to be in the same manner opposed.

Habemus quidem senatus consultum,—tanquam gladium in vagina repositum.

We have a statute, laid up for future use, like a sword in the scabbard.

A F A R M E R.

* “ And that pig and bar iron, made in his majesty's colonies in America, may be *further manufactured in this kingdom*, be it further enacted by the authority aforesaid, that from and after the twenty-fourth day of June, 1750, no mill, or other engine, for slitting or rolling of iron, or any plating forge, to work with a tilt hammer, or any furnace for making steel, shall be erected; or, after such erection, continued *in any of his majesty's colonies in America*” 23d George II. chap. 29, sect. 9.

† Though these particulars are mentioned as being absolutely necessary, yet perhaps they are not more so than glass in our severe winters, to keep out the cold from our houses; or than paper, without which such inexpressible confusions must ensue.

L E T T E R

L E T T E R V.

Beloved Countrymen,

PERHAPS the objection to the late act, imposing duties upon paper, &c. might have been safely rested on the arguments drawn from the universal conduct of parliaments and ministers, from the first existence of these colonies, to the administration of Mr. Grenville.

What but the indisputable, the acknowledged exclusive right of the colonies to tax themselves, could be the reason, that in this long period of more than one hundred and fifty years, no statute was ever passed for the sole purpose of raising a revenue on the colonies? And how clear, how cogent must that reason be, to which every parliament, and every minister, for so long a time submitted, without a single attempt to innovate?

England, in part of that course of years, and Great-Britain, in other parts, was engaged in several fierce and expensive wars; troubled with some tumultuous and bold parliaments; governed by many daring and wicked ministers; yet none of them ever ventured to touch the Palladium of American liberty. Ambition, avarice, faction, tyranny, all revered it. Whenever it was necessary to raise money on the colonies, the requisitions of the crown were made, and dutifully complied with. The parliament, from time to time, regulated their dependance, and the connection of the whole in good order.

The people of Great-Britain, in support of their privileges, boast much of their antiquity. It is true they are antient; yet it may well be
F questioned

questioned, if there is a single privilege of a British subject, supported by longer, more solemn or more uninterrupted testimony, than the exclusive right of taxation in these colonies. The people of Great-Britain consider that kingdom as the sovereign of these colonies, and would now annex to that sovereignty a prerogative never heard of before. How would they bear this, was the case their own? What would they think of a new prerogative claimed by the crown? We may guess what their conduct would be, from the transports of passion into which they fell about the late embargo, though laid to relieve the most emergent necessities of state, admitting of no delay; and for which there were numerous precedents. Let our liberties be treated with the same tenderness, and it is all we desire.

Explicit as the conduct of parliaments, for so many ages, is, to prove that no money can be levied on these colonies by parliament, for the purpose of raising a revenue, yet it is not the only evidence in our favour.

Every one of the most material arguments against the legality of the stamp-act, operates with equal force against the act now objected to; but as they are well known, it seems unnecessary to repeat them here.

This general one only shall be considered at present: That though these colonies are dependent on Great-Britain; and though she has a legal power to make laws for preserving that dependence; yet it is not necessary for this purpose, nor essential to the relation between a mother country and her colonies, as was eagerly contended by the advocates for the stamp-act, that she should raise money on them without their consent.

Colonies

Colonies were formerly planted by warlike nations, to keep their enemies in awe; to relieve their country overburthened with inhabitants; or to discharge a number of discontented and troublesome citizens, but in more modern ages the spirit of violence being, in some measure, if the expression may be allowed, sheathed in commerce, colonies have been settled by the nations of Europe for the purposes of trade. These purposes were to be attained, by the colonies raising for their mother country those things which she did not produce herself; and by supplying themselves from her with the things they wanted. These were the national objects in the commencement of our colonies, and have been uniformly so in their promotion.

To answer these grand purposes, perfect liberty was known to be necessary; all history proving, that trade and freedom are nearly related to each other. By a due regard to this wise and just plan, the infant colonies, exposed in unknown climates and unexplored wildernesses of this new world, lived, grew, and flourished.

The parent country, with undeviating prudence and virtue, attentive to the first principles of colonization, drew to herself the benefits she might reasonably expect, and preserved to her children the blessings, on which those benefits were founded. She made laws, obliging her colonies to carry to her all those products which she wanted for her own use: and all those raw materials which she chose herself to work up. Besides this restriction, she forbade them to procure manufactures from any other part of the globe, or even the products of European countries, which alone could rival her, without being first brought to her. In short, by a vari-

ety of laws, she regulated their trade in such a manner as she thought most conducive to their mutual advantage, and her own welfare. A power was reserved to the crown of repealing any laws that should be enacted; the executive authority of government was also lodged in the crown, and its representatives; and an appeal was secured to the crown from all judgments in the administration of justice.

For all these powers, established by the mother country over the colonies; for all their difficulties and distresses in fixing themselves, what was the recompence made them? A communication of her rights in general, and particularly of that great one, the foundation of all the rest--that their property, acquired with so much pain and hazard, should be disposed of by none but *themselves--or, to use the beautiful and emphatic language of the sacred scriptures, "† that they should sit every man under his vine, and under his fig-tree, and none should make them afraid."

Can any man of candour and knowledge deny, that these institutions form an affinity between Great-Britain and her colonies, that sufficiently secures their dependance upon her? Or that for her to levy taxes upon them, is to reverse the nature of things? Or that she can pursue such a measure, as to reduce them to a state of vassalage?

* "The power of taxing themselves, was the privilege of which the English were, with reason, particularly jealous." Hume's Hist. of England.

† Mic. iv. 4.

If any person cannot conceive the supremacy of Great-Britain to exist, without the power of laying taxes to levy money upon us, the history of the colonies, and of Great-Britain, since their settlement, will prove the contrary. He will there find the amazing advantages arising to her from them---the constant exercise of her supremacy,---and the filial submission to it, without a single rebellion, or even the thought of one, from their first emigration to this moment.--- And all these things have happened, without one instance of Great-Britain's laying taxes to levy money upon them.

How many * British authors have demonstrated, that the present wealth, power and glory

* It has been said in the house of commons, when complaints have been made of the decay of trade to any part of Europe, " That such things were not worth regard, as Great Britain was possessed of colonies that could consume more of her manufactures than she was able to supply them with."

" As the case now stands, we shall shew that the plantations are a spring of wealth to this nation, that they work for us, that their treasure centres all here, and that the laws have tied them fast enough to us; so that it must be through our own fault and mismanagement, if they become independent of England."

Davenant on the Plantation Trade.

" Our colonies, while they have English blood in their veins, and have relations in England, and while they can get by trading with us, the stronger and greater they grow. the more this crown and kingdom will get by them: and nothing but such an arbitrary power as shall make them desperate, can bring them to rebel."

" Force can never be used effectually to answer the end, without destroying the colonies themselves. Liberty and encouragement are necessary to carry people thither, and to keep them together when they are there; and violence will hinder both. Any body of troops, considerable enough to awe them, and keep them in subjection, under the direction

glory of their country, are founded upon these colonies? As constantly as streams tend to the ocean, have they been pouring the fruits of all their labours into their mother's lap. Good heaven! and shall a total oblivion of former tenderneſſes and bleſſings, be ſpread over the minds of a good and wiſe nation, by the ſordid arts of intriguing men, who covering their ſelfiſh projects under pretences of public good, firſt enrage their countrymen into a 'frenzy of paſſion, and then advance their own influence and inter-

too of a needy governor, often ſent thither to make his fortune, and at ſuch a diſtance from any application for redreſs, will ſoon put an end to all planting, and leave the country to the ſoldiers alone, and if it did not, would eat up all the profits of the colony. For this reaſon, arbitrary countries have not been equally ſucceſſful in planting colonies with free ones; and what they have done in that kind, has either been by force, at a vaſt expence, or by departing from the nature of their government, and giving ſuch privileges to planters as were denied to their other ſubjects. And I dare ſay, that a few prudent laws, and a little prudent conduct would ſoon give us far the greateſt ſhare of the riches of all America, perhaps drive many of other nations out of it, or into our colonies for ſhelter."

"There are ſo many exigencies in all ſtates, ſo many foreign wars, and domeſtic diſturbances, that theſe colonies can never want opportunities, if they watch for them, to do what they ſhall find their intereſt to do; and therefore we ought to take all the precautions in our power, that it never ſhall be their intereſt to act againſt that of their native country; an evil which can no otherwiſe be averted, than by keeping them fully employed in ſuch trades as will increaſe their own, as well as our wealth; for it is much to be feared, if we do not find employment for them, they may find it for us. The intereſt of the mother country, is always to keep them dependent, and ſo employed; and it requires all her addreſs to do it; and it is certainly more eaſily and effectually done by inſenſible methods, than by power alone."

Cato's Letters.

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est, by gratifying the passion, which they themselves have basely excited?

Hitherto Great-Britain has been contented with her prosperity. Moderation has been the rule of her conduct. But now, a generous, humane people, that so often has protected the liberty of strangers, is inflamed into an attempt to tear a privilege from her own children, which if executed, must, in their opinion, sink them into slaves: and for what? For a pernicious power, not necessary to her, as her own experience may convince her; but horribly dreadful and detestable to them.

It seems extremely probable, that when cool, dispassionate posterity, shall consider the affectionate intercourse, the reciprocal benefits, and the unsuspecting confidence, that have subsisted between these colonies and their parent country, for such a length of time, they will execrate, with the bitterest curses, the infamous memory of those men, whose pestilential ambition unnecessarily, wantonly, first opened the sources of civil discord between them; first turned their love into jealousy; and first taught these provinces, filled with grief and anxiety, to enquire---

Mens ubi materna est?

Where is maternal affection?

A FARMER.

LETTER

LETTER VI.

Beloved Countrymen,

IT may perhaps be objected against the arguments that have been offered to the public, concerning the legal power of the parliament, "that it has always exercised the power of imposing duties, for the purposes of raising a revenue on the productions of these colonies carried to Great-Britain, which may be called a tax on them." To this objection I answer, that this is no violation of the rights of the colonies, it being implied in the relation between them and Great-Britain, that they should not carry such commodities to other nations, as should enable them to interfere with the mother country. The imposition of duties on these commodities, when brought to her, is only a consequence of her parental right; and if the point is thoroughly examined, the duties will be found to be laid on the people of the mother country. Whatever they are, they must proportionably raise the price of the goods, and consequently must be paid by the consumers. In this light they were considered by the parliament in the 25th Charles II. chap. 7, sect. 2, which says, that the productions of the plantations were carried from one to another, free from all customs, "while the subjects of this your kingdom of England have paid great customs and impositions for what of them have been spent here," &c.

Besides, if Great-Britain exports these commodities again, the duties will injure her own trade, so that she cannot hurt us, without plainly and immediately hurting herself; and this is our check

check against her acting arbitrarily in this respect.

* It may be perhaps further objected, "that it being granted that statutes made for regulating trade, are binding upon us, it will be difficult

* If any one should observe that no opposition has been made to the legality of the 4th Geo. III. chap. 15, which is the first act of parliament that ever imposed duties on the importations into America, for the expressed purpose of raising a revenue there; I answer — First, that though the act expressly mentions the raising a revenue in America, yet it seems that it had as much in view the "improving and securing the trade between the same and Great Britain," which words are part of its title: And the preamble says, "Whereas it is expedient that new provisions and regulations should be established for improving the revenue of this kingdom, and for extending and securing the navigation and commerce between Great-Britain, and your Majesty's dominions in America, which by the peace have been so happily extended and enlarged," &c. Secondly, all the duties mentioned in that act are imposed solely on the productions and manufactures of foreign countries, and not a single duty laid on any production or manufacture of our mother country. Thirdly, The authority of the provincial assemblies is not therein so plainly attacked as by the last act, which makes provision for defraying the charges of the "administration of justice," and "the support of civil government." Fourthly, That it being doubtful, whether the intention of the 4th Geo. III. chap. 15, was not as much to regulate trade, as to raise a revenue, the minds of the people here were wholly engrossed by the terror of the stamp-act, then impending over them, about the intention of which there could be no doubt.

These reasons so far distinguish the 4th Geo. III. chap. 15, from the last act, that it is not to be wondered at, that the first should have been submitted to, though the last should excite the most universal and spirited opposition. For this will be found, on the strictest examination, to be, in the principle on which it is founded, and in the consequences that must attend it, if possible, more destructive than the stamp-act. It is, to speak plainly, a prodigy in our laws, not having one British feature.

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for any persons, but the makers of the laws, to determine, which of them are made for the regulating of trade, and which for raising a revenue; and that from hence may arise confusion."

To this I answer, that the objection is of no force in the present case, or such as resemble it; because the act now in question, is formed expressly for the sole purpose of raising a revenue.

However, supposing the design of parliament had not been expressed, the objection seems to me of no weight, with regard to the influence which those who may make it, might expect it ought have on the conduct of these colonies.

It is true, that impositions for raising a revenue, may be hereafter called regulations of trade: But names will not change the nature of things. Indeed we ought firmly to believe, what is an undoubted truth, confirmed by the unhappy experience of many states, heretofore free, that "unless the most watchful attention be exerted, a new servitude may be slipped upon us, under the sanction of usual and respectable terms."

Thus the Cæsars ruined the Roman liberty, under the titles of tribunitial and dictatorial authorities --- old and venerable dignities, known in the most flourishing times of freedom. In imitation of the same policy, James II. when he meant to establish popery, talked of liberty of conscience, the most sacred of all liberties; and had thereby almost deceived the Dissenters into destruction.

All artful rulers, who strive to extend their power beyond its just limits, endeavour to give to their attempts as much semblance of legality

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as possible. Those who succeed them may venture to go a little further; for each new encroachment will be strengthened by a former. “ * That which is now supported by examples, growing old, will become an example itself,” and thus support fresh usurpations.

A free people therefore can never be too quick in observing, nor too firm in opposing the beginnings of alterations either in form or reality, respecting institutions formed for their security: The first leads to the last. Yet, on the other hand, nothing is more certain, than that the forms of liberty may be retained, when the substance is gone. In government, as well as in religion, “ The letter killeth, but the spirit giveth life †.”

I will beg leave to enforce this remark by a few instances. The crown, by the constitution, has the prerogative of creating peers. The existence of that order, in due number and dignity, is essential to the constitution; and if the crown did not exercise that prerogative, the peerage must have long since decreased so much as to have lost its proper influence. Suppose a prince, for some unjust purposes, should, from time to time, advance so many needy, profligate wretches to that rank, that all the independence of the house of lords should be destroyed; there would then be a manifest violation of the constitution under the appearance of using legal prerogative.

The house of commons claims the privilege of forming all money bills, and will not suffer either of the other branches of the legislature to add to, or alter them; contending, that their power simply extends to an acceptance or rejection of

* Tacitus.

† 2 Cor. iii. 6.

them. This privilege appears to be just: But under pretence of this just privilege, the house of commons has claimed a licence of tacking to money bills, clauses relating to things of a totally different kind, and thus forcing them in a manner on the king and lords. This seems to be an abuse of that privilege, and may be vastly more abused. Suppose a future house, influenced by some discontented demagogues—in a time of danger, should tack to a money bill, something so injurious to the king and peers, that they would not assent to it, and yet the commons should obstinately insist on it, the whole kingdom would be exposed to ruin, under the appearance of maintaining a valuable privilege.

In these cases it might be difficult for a while to determine, whether the king intended to exercise his prerogative in a constitutional manner or not; or whether the commons insisted on their demand factiously, or for the public good; but surely the conduct of the crown, or of the house, would in time sufficiently explain itself.

Ought not the people therefore to watch? to observe facts? to search into causes? to investigate designs? And have they not a right of judging from the evidence before them, on no slighter points than their liberty and happiness? It would be less than trifling, wherever a British government is established, to make use of any arguments to prove such a right, it is sufficient to remind the reader of the day of the anniversary on which the first of these letters is dated.

I will now apply what has been said to the present question.

The nature of any impositions laid by parliament on these colonies must determine the design

sign in laying them. It may not be easy in every instance to discover that design. Wherever it is doubtful, I think submission cannot be dangerous, nay it must be right; for, in my opinion, there is no privilege these colonies claim, which they ought in duty and prudence more earnestly to maintain and defend, than the authority of the British parliament to regulate the trade of all her dominions. Without this authority, the benefits she enjoys from our commerce must be lost to us. Her strength must decay; her glory vanish; and she cannot suffer, without our partaking in her misfortune. Let us therefore cherish her interests as our own, and give her every thing, that it becomes freemen to give or to receive.

The nature of any impositions she may lay upon us may in general be known, by considering how far they relate to the preserving in due order the connection between the several parts of the British empire. One thing we may be assured of, which is this—Whenever she imposes duties on commodities, to be paid only upon their exportation from Great-Britain to these colonies, it is not a regulation of trade, but a design to raise a revenue upon us. Other instances may happen, which it may not be necessary at present to dwell on. I hope these colonies will never, to their latest existence, want understanding sufficient to discover the intentions of those who rule over them, nor the resolution necessary for asserting their interests. They will always have the same rights, that all free states have, of judging when

when their privileges are invaded, and of using all prudent measures for preserving them.

Quocirca vivite fortes

Fortiaque adversis opponite pectora rebus.

Wherefore keep up your spirits, and gallantly oppose this adverse course of affairs.

L E T T E R VII.

My dear Countrymen,

THIS letter is intended more particularly for such of you, whose employments in life may have prevented your attending to the consideration of some points that are of great and public importance; for many such persons there must be even in these colonies, where the inhabitants in general are more intelligent than any other people whatever, as has been remarked by strangers, and it seems with reason.

Some of you, perhaps, filled, as I know your breasts are, with loyalty to our most excellent prince and with love to our dear mother country, may feel yourselves inclined, by the affections of your hearts, to approve every action of those whom you so much venerate and esteem! A prejudice thus flowing from goodness of disposition, is amiable indeed. I wish it could be indulged without danger. Did I think this possible, the error should have been adopted, and not opposed by me. But in truth, all men are subject to the passions and frailties of nature; and therefore whatever regard we entertain for the persons of those who govern us, we should always remember that their conduct, as rulers, may be influenced by human infirmities.

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When any laws, injurious to these colonies, are passed, we cannot, with the least propriety, suppose that any injury was intended by his Majesty, or the Lords. For the assent of the crown and peers to laws, seems as I am able to judge, to have been vested in them, more for their own security, than for any other purpose. On the other hand, it is the particular business of the people, to enquire and discover what regulations are useful for themselves, and to digest and present them in the form of bills, to the other orders, to have them enacted into laws. Where these laws are to bind themselves, it may be expected, that the house of commons will very carefully consider them. But when they are making laws that are not designed to bind themselves, we cannot imagine that their deliberations will be as * cautious and scrupulous, as in their own case.

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* Many remarkable instances might be produced of the extraordinary inattention with which bills of great importance, concerning these colonies, have passed in parliament; which is owing, as it is supposed, to the bills being brought in by the persons who have points to carry, so artfully framed, that it is not easy for the members in general, in the haste of business, to discover their tendency.

The following instances shew the truth of this remark. When Mr. Grenville, in the violence of reformation, formed the 4th Geo. III. chap. 15th, for regulating the American trade, the word "Ireland" was dropped in the clause relating to our iron and lumber, so that we could send these articles to no part of Europe, but to Great-Britain. This was so unreasonable a restriction, and so contrary to the sentiments of the legislature for many years before, that it is surprizing it should not have been taken notice of in the house. However the bill passed into a law. But when the matter was explained, this restriction was taken off by a subsequent

I am told, that there is a wonderful address frequently used in carrying points in the house of commons, by persons experienced in these affairs. --- That opportunities are watched; --- and sometimes votes are passed, that if all the members had been present, would have been rejected by a great majority. Certain it is, that when a powerful and artful man has determined

subsequent act. I cannot positively say how long after the taking off this restriction, as I have not the act, but I think in less than 18 months, another act of parliament passed, in which the word "Ireland" was left out, just as it had been before. The matter being a second time explained, was a second time regulated.

Now if it be considered, that the omission mentioned struck off with one word so very great a part of our trade, it must appear remarkable; and equally so is the method, by which rice became an enumerated commodity, and therefore could be carried to Great-Britain only.

"The enumeration was obtained (says Mr. [a] Gee) by one Cole, a captain of a ship, employed by a company then trading to Carolina; for several ships going from England thither, and purchasing rice for Portugal, prevented the aforesaid captain of a loading. Upon his coming home, he possessed one Mr. Lownds, a member of parliament (who was very frequently employed to prepare bills) with an opinion, that carrying rice directly to Portugal, was a prejudice to the trade of England, and privately got a clause into an act, to make it an enumerated commodity; by which means he secured a freight to himself: But the consequence proved a vast loss to the nation."

I find that this clause, "privately got into an act," for the benefit of captain Cole, to the "vast loss of the nation," is foisted into the 3d and 4th Ann, chap. 5th, intituled, "An act for granting unto her Majesty a further subsidy on wines and merchandize imported," with which it has no more connection, than with 34th Edward I. the 35th of Henry VIII. and the 25th of Charles II. which provide, that no person shall be taxed but by himself or his representative.

[a] Gee on trade, page 34.

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on any measure against these colonies, he has always succeeded in his attempt. Perhaps therefore it will be proper for us, whenever any oppressive act affecting us is passed, to attribute it to the inattention of the members of the house of commons, and to the malevolence or ambition of some factious great man, rather than to any other cause.

Now I do verily believe, that the late act of parliament, imposing duties on paper, &c. was formed by Mr. Grenville and his party, because it is evidently a part of that plan, by which he endeavoured to render himself popular at home; and I do also believe, that not one half of the members of the house of commons, even of those who heard it read, did perceive how destructive it was to AMERICAN freedom. For this reason, as it is usual in GREAT-BRITAIN, to consider the King's speech as the speech of the ministry, it may be right here to consider this act as the act of a party. ---- perhaps I should speak more properly, if I was to use another term.

There are two ways of laying taxes. One is, by imposing a certain sum on particular kinds of property, to be paid by the user or consumer, or by rating the person at a certain sum. The other is, by imposing a certain sum on particular kinds of property, to be paid by the seller.

When a man pays the first sort of tax, he knows with certainty that he pays so much money for a tax. The consideration for which he pays it, is remote, and, it may be, does not occur to him. He is sensible too, that he is commanded and obliged to pay it as a tax; and therefore people are apt to be displeased with this sort of tax.

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The other sort of tax is submitted to, in a very different manner. The purchaser of any article, very seldom reflects that the seller raises his price, so as to indemnify himself for the tax he has paid. He knows that the prices of things are continually fluctuating, and if he thinks about the tax, he thinks at the same time, in all probability, that he might have paid as much, if the article he buys had not been taxed. He gets something visible and agreeable for his money; and tax and price are so confounded together, that he cannot separate, or does not chuse to take the trouble of separating them.

This mode of taxation therefore is the mode suited to arbitrary and oppressive governments. The love of liberty is so natural to the human heart, that unfeeling tyrants think themselves obliged to accommodate their schemes as much as they can, to the appearance of justice and reason, and to deceive those whom they resolve to destroy, or oppress, by presenting to them a miserable picture of freedom, when the inestimable original is lost.

This policy did not escape the cruel, rapacious Nero. That monster, apprehensive that his crimes might endanger his authority and life, thought proper to do some popular acts, to secure the obedience of his subjects. Among other things, says Tacitus, "he remitted the 25th part of the price on the sale of slaves, but rather in shew than reality; for the seller being ordered to pay it, it became part of the price to the buyer*."

This is the reflection of the judicious historian; but the deluded people gave their infamous Emperor full credit for his false generosity. Other nations have been treated in the same manner the

* Tacitus's Ann. Book 13. S. 31.

Romans were. The honest, industrious Germans, who are settled in different parts of this continent, can inform us, that it was this sort of tax that drove them from their native land to our woods, at that time the seats of perfect and undisturbed freedom.

Their princes, enflamed by the lust of power, and the lust of avarice, two furies that the more they are gorged, the more hungry they grow, transgressed the bounds they ought in regard to themselves, to have observed. To keep up the deception in the minds of subjects, "there must be," says a very learned author, "some proportion between the impost and the value of the commodity; wherefore there ought not to be an excessive duty upon merchandize of little value there are duties which exceeds seventeen or eighteen times the value of the commodity. In this case the prince removes the illusion. His subjects plainly see they are dealt with in an unreasonable manner, which renders them most exquisitely sensible of their slavish situation." From hence it appears, that subjects may be ground down into misery by this sort of taxation as well as by the other. They will be as much impoverished, if their money is taken from them in this way as in the other; and that it will be taken, may be more evident, by attending to a few more considerations.

The merchant or importer, who pays the duty at first, will not consent to be so much money out of pocket. He therefore proportionably raises the price of his goods. It may then be said to be a contest between him and the person offering to buy, who shall lose the duty. This must be decided by the nature of the commodities, and the purchaser's demand for them. If they are merely luxurious, he is at liberty to do as

* Montesquieu's Spirit of Laws, Book 13. chap. 8.

he pleases, and if he buys, he does it voluntarily: But if they are absolutely necessities, or conveniences, which use and custom have made requisite for the comfort of life, and which he is not permitted, by the power imposing the duty, to get elsewhere, there the seller has a plain advantage, and the buyer must pay the duty. In fact, the seller is nothing less than a collector of the tax for the power that imposed it. If these duties then are extended to the necessities and conveniences of life in general, and enormously increased, the people must at length become indeed "most inquisitively sensible of their slavish situation." Their happiness therefore entirely depends on the moderation of those who have authority to impose the duties.

I shall now apply these observations to the late act of parliament. Certain duties are thereby imposed on paper and glass, imported into these colonies. By the laws of Great-Britain we are prohibited to get these articles from any other part of the world. We cannot at present, nor for many years to come, though we should apply ourselves to these manufactures with the utmost industry, make enough ourselves for our own use. That paper and glass are not only convenient but absolutely necessary for us, I imagine very few will contend. Some perhaps, who think mankind grew wicked and luxurious, as soon as they found out another way of communicating their sentiments than by speech, and another way of dwelling than in caves, may advance so whimsical an opinion. But I presume no body will take the unnecessary trouble of refuting them.

From these remarks I think it evident that we must use paper and glass; that what we use, must be British; and that we must pay the duties imposed,
unless

unless those who sell these articles, are so generous as to make us presents of the duties they pay.

Some persons may think this act of no consequence, because the duties are so small. A fatal error! That is the very circumstance most alarming to me. For I am convinced, that the authors of this law would never have obtained an act to raise so trifling a sum as it must do, had they not intended by it to establish a precedent for future use. To console ourselves with the smallness of the duties, is to walk deliberately into the snare that is set for us, praising the neatness of the workmanship. Suppose the duties imposed by the late act could be paid by these distressed colonies with the utmost ease, and that the purposes to which they are to be applied, were the most reasonable and equitable that can be conceived, the contrary of which I hope to demonstrate before these letters are concluded; yet even in such a supposed case, these colonies ought to regard the act with abhorrence. For who are a free people? Not those, over whom government is reasonably and equitably exercised, but those, who live under a government so constitutionally checked and controuled, that proper provision is made against its being otherwise exercised.

The late act is founded on the destruction of this constitutional security, if the parliament have a right to lay a duty of four shillings and eightpence on a hundred weight of glass, or a ream of paper, they have a right to lay a duty of any other sum on either. They may raise the duty, as the author before quoted, says has been done in some countries, till it "exceeds seventeen or "eighteen times the value of the commodity."

In short, if they have a right to levy a tax of one penny upon us, they have a right to levy a million upon us: For where does their right stop? At any given number of pence, shillings or pounds? To attempt to limit their right, after granting it to exist at all, is as contrary to reason—as granting it to exist at all, is as contrary to justice. If they have any right to tax us--then, whether our own money shall continue in our own pockets or not, depends no longer on us, but on them. "There is nothing which" we "can call our own; or, to use the words of Mr. Locke--" what property have" we "in that, which another may, by right, take, when he pleases; to himself?"

These duties which will inevitably be levied upon us--which are now levying upon us--are expressly laid "for the sole purpose of taking money. This is the definition of "taxes." They are therefore taxes. This money is to be taken from us. We are therefore taxed. Those who are taxed without their own consent, expressed by themselves or their representatives, are slaves. We are taxed without our own consent, expressed by ourselves or our representatives. We are therefore * "slaves."

Miserabile vulgus.
A miserable tribe.

A FARMER.
LETTER

* "It is my opinion, that this kingdom has no right to lay a Tax upon the colonies."—"The Americans are the Sons, and not the BASTARDS of England."—"The distinction between Legislation and Taxation is essentially necessary to liberty."—"The Commons of America, represented in their several assemblies, have ever been in possession of this their constitutional right of giving and granting their own money. They would have been

"Slaves"

LETTER VIII.

My dear Countrymen,

IN my opinion, a dangerous example is set in the last act relating to these colonies. The power of parliament to levy money upon us for raising a revenue, is therein avowed and exerted. Regarding the act on this single principle, I must again repeat, and I think it my duty to repeat, that to me it appears to be unconstitutional.

No man, who considers the conduct of the parliament since the repeal of the stamp-act, and the disposition of many people at home, can doubt, that the chief object of attention there, is, to use Mr. Grenville's expression, "providing that the Dependence and Obedience of the colonies be asserted and maintained."

Under the influence of this notion, instantly on repealing the stamp-act, an act passed, declaring the power of parliament to bind these colonies in all cases whatever. This however was only planting a barren tree, that cast a shade indeed

"Slaves, if they had not enjoyed it." "The idea of a virtual representation of America in this house, is the most contemptible idea, that ever entered into the head of man.—It does not deserve a serious refutation."

That great and excellent man, Lord Camden, maintains the same opinion. His speech in the house of peers, on the declaratory bill of the sovereignty of Great-Britain over the colonies, has lately appeared in our papers. The following extracts so perfectly agree with, and confirm the sentiments avowed in these letters, that it is hoped the inserting them in this note will be excused.

"As the affair is of the utmost importance, and in its consequences may involve the fate of kingdoms, I took the strictest review of my arguments; I re-examined all my authorities

indeed over the colonies, but yielded no fruit. It being determined to enforce the authority on which the stamp-act was founded, the parliament having never renounced the right, as Mr. Pitt advised them to do; and it being thought proper to disguise that authority in such a manner, as not again to alarm the colonies; some little time was required to find a method, by which both of these points should be united. At last the ingenuity of Mr. Grenville and his party accomplished the matter, as it was thought, in "an act for granting certain duties in the British colonies and plantations in America, for allowing drawbacks," &c. which is the title of the act laying duties on paper, &c.

The parliament having several times before imposed duties to be paid in America, "it was expected, no doubt, that the repetition of such a measure would be passed over, as an usual thing." But to have done this, without expressly

authorities? fully determined, if I found myself mistaken, publicly to own my mistake, and give up my opinion: But my searches have more and more convinced me, that the British parliament have No Right to Tax the Americans."

—"Nor is the doctrine new; it is as old as the constitution; it grew up with it; indeed it is its support."—"Taxation and Representation are inseparably united. God hath joined them: No British parliament can separate them: To endeavour to do it, is to stab our vitals."

"My position is this—I repeat it—I will maintain it to my last hour—Taxation and Representation are inseparable—this position is founded on the laws of nature; it is more, it is itself An eternal Law of Nature; for whatever is a man's own, is absolutely his own; No Man hath a Right to take it from him without his Consent, either expressed by himself or representative; who ever attempts to do it, attempts an injury; Whoever does it, commits a Robbery; he throws down the Distinction between Liberty and Slavery."—"There is not a blade of

"grass

expressly "asserting and maintaining" the power of parliament to take our money without our consent, and to apply it as they please, would not have been sufficiently declarative of its supremacy, nor sufficiently depreessive of American freedom.

Therefore it is, that in this memorable act we find it expressly "provided," that money shall be levied upon us without our consent, for Purposes, that render it, if possible, more dreadful than the stamp-act.

That act, alarming as it was, declared, the money thereby to be raised, should be applied "towards defraying the expences of defending,

"grafs, in the most obscure corner of the kingdom, which
"is not, which was not ever represented, since the constitution began: There is not a blade of grafs, which,
"when taxed, was not taxed, by the consent of the proprietor." "The forefathers of the Americans did not
"leave their native country, and subject themselves to every danger and distress, to be reduced to a state of
"slavery. They did not give up their rights: They looked
"for protection, and not for chains, from their mother country. By her they expected to be defended in the possession of their property, and not to be deprived of it:
"For should the present power continue, there is nothing
"which they can call their own;" or, to use the words of Mr. Locke, "what property have they in that, which another may by right, take when he pleases, to himself?"

It is impossible to read this speech, and Mr. Pitt's, and not be charmed with the generous zeal for the rights of mankind that glows in every sentence. These great and good men, animated by the subject they speak upon, seem to rise above all the former glorious exertions of their abilities. A foreigner might be tempted to think they are Americans, asserting, with all the ardour of patriotism, and all the anxiety of apprehension, the cause of their native land—and not Britons, striving to stop their mistaken countrymen from oppressing others. Their reasoning is not only just—it is, as Mr. Hume says of the eloquence of Demosthenes, vehement. "It is disdain, anger, boldness, freedom, involved in a continual stream of argument."

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"protecting

“protecting and securing the British colonies and plantations in America; and it is evident from the whole act, that by the word “British,” were intended colonies and plantations settled by British people, and not generally, those subject to the British crown. That act therefore seemed to have something gentle and kind in its intention, and to aim only at our own welfare: But the act now objected to, imposes duties upon the British colonies, “to defray the expences of defending, protecting and securing his Majesty’s dominions in in America.”

What a change of words! What an incomputable addition to the expences intended by the stamp-act! “His Majesty’s dominions.” comprehend not only the British colonies, but also the conquered provinces of Canada and Florida, and the British garrisons of Nova-Scotia; for these do not deserve the name of colonies.

What justice is there in making us pay for “defending, protecting and securing” these places? What benefit can we, or have we ever derived from them? None of them was conquered for us; nor will “be defended, protected or secured” for us.

In fact, however advantageous the-subduing or keeping any of these countries may be to Great-Britain, the acquisition is greatly injurious to these colonies. Our chief property is in lands. These would have been of a much greater value, if such prodigious additions had not been made to the British territories on this continent. The natural increase of our own people, if confined within the colonies, would have raised the value still higher and higher every fifteen or twenty years: besides, we should have lived more compactly together, and have been therefore more able to resist any enemy. But now the inhabitants

tants will be thinly scattered over an immense region, as those who want settlements, will chuse to make new ones, rather than pay great prices for old ones.

These are the consequences to the colonies, of the hearty assistance they gave to Great-Britain in the late war---a war undertaken solely for her own benefit. The objects of it were, the securing to herself the rich tracts of land on the back of these colonies, with the Indian trade; and Nova-Scotia, with the fishery. These, and much more, has that kingdom gained; but the inferior animals, that hunted with the lion, have been amply rewarded for all the sweat and blood their loyalty cost them, by the honour of having sweated and bled in such company.

I will not go so far as to say, that Canada and Nova-Scotia are curbs on New-England; the chain of forts through the back woods, on the middle provinces; and Florida on the rest: But I will venture to say, that if the products of Canada, Nova-Scotia, and Florida, deserve any consideration, the first two of them are only rivals of our northern colonies, and the other of our southern.

It has been said, that without the conquest of these countries, the colonies could not have been "protected, defended and secured:" If that is true, it may with as great propriety be said, that Great-Britain could not have been "defended, protected and secured," without that conquest: For the colonies are parts of her empire, which it as much concerns her as them to keep out of the hands of any other power.

But these colonies, when they were much weaker, defended themselves, before this conquest was made; and could again do it, against any that might properly be called their enemies.

If France and Spain indeed should attack them, as members of the British empire, perhaps they might be distressed; but it would be in a British quarrel.

The highest number I have seen of the people in Canada, does not make them exceed 90,000. Florida can hardly be said to have any inhabitants. It is computed that there are in our colonies 3,000,000: Our force therefore, that would render us very safe, must decrease in proportion to the growth of their strength.

This being the state of the case, I cannot think it just that these colonies, labouring under so many misfortunes, should be loaded with taxes, to maintain countries, not only not useful, but hurtful to them. The support of Canada and Florida cost yearly, it is said, half a million sterling. From hence, we may make some guess of the load that is to be laid upon us; for we are not only to "defend, protect and secure" them, but also to make "an adequate provision for defraying the charge of the administration of justice, and the support of civil government, in such provinces where it shall be found necessary."

Not one of the provinces of Canada, Nova-Scotia, or Florida, has ever defrayed these expences within itself; and if the duties imposed by the last statute are collected, all of them together, according to the best information I can get, will not pay one quarter as much as Pennsylvania alone. So that the British colonies are to be drained of the rewards of their labour, to cherish the scorching sands of Florida, and the icy rocks of Canada and Nova-Scotia, which never will return to us one farthing that we send to them.

Great-

Great-Britain---I mean, the ministry in Great-Britain, has cantoned Canada and Florida out into five or six governments, and may form as many more. She now has fourteen or fifteen regiments on this continent; and may send over as many more. To make "an adequate provision" For all these Expences, is, no doubt, to be the inheritance of the colonies.

Can any man believe that the duties upon paper, &c. are the last that will be laid for these purposes? It is in vain to hope, that because it is imprudent to lay duties on the exportation of manufactures from a mother country to colonies, as it may promote manufactures among them, that this consideration will prevent such a measure.

Ambitious, artful men have made it popular, and whatever injustice or destruction will attend it in the opinion of the colonists, at home it will be thought just and salutary.*

The people of Great-Britain will be told, and have been told, that they are sinking under an immense debt---that great part of this debt has been contracted in defending the colonies---that these are so ungrateful and undutiful, that they will not contribute one mite to its payment---nor even to the support of the army now kept up for their "defence and security"---that they are rolling in wealth, and are of so bold and republican a spirit, that they are aiming at independence---that the only way to retain them in

* "So credulous, as well as obstinate, are the people in believing every thing, which flatters their prevailing passion."
Hume's Hist. of England.

"obedience"

“obedience” is to keep a strict watch over them, and to draw off part of their riches in taxes--and that every burden laid upon them is taking off so much from Great-Britain.---These assertions will be generally believed, and the people will be persuaded that they cannot be too angry with their colonies, as that anger will be profitable to themselves.

In truth, Great-Britain alone receives all the advantages of Canada, Nova-Scotia and Florida; and therefore she alone ought to maintain them. The old maxim of the law is drawn from reason and justice, and never could be more properly applied, than in this case.

“Qui sentit commodum, sentire debet et onus.

“They who feel the benefit, ought to feel the
“burden.

L E T T E R IX.

My dear Countrymen,

I Have made some observations on the purpose for which money is to be levied upon us by the late act of parliament. I shall now offer to your consideration some further reflections on that subject; and unless I am greatly mistaken, if these purposes are accomplished according to the expressed intention of the act, they will be found effectually to supersede that authority in our respective assemblies, which is essential to liberty. The question is not, whether some branches shall be lopt off—The axe is laid to the root of the tree: and the whole body must infallibly perish, if we remain idle spectators of the work.

No

No free people existed, or can ever exist, without keeping, to use a common, but strong expression, "the purse strings" in their own hands. Where this is the case, they have a constitutional check upon the administration, which may thereby be brought into order without violence: but where such a power is not lodged in the people, oppression proceeds uncontrouled in its career, till the governed, transported into rage, seek redress in the midst of blood and confusion.

The elegant and ingenious Mr. Hume, speaking of the Anglo Norman government—"Princes and ministers were too ignorant, to be themselves sensible of the advantage attending an equitable administration, and there was no established council or assembly, which could protect the people, and by withdrawing supplies, regularly and peaceably admonish the king of his duty, and ensure the execution of the laws."

Thus this great man, whose political reflections are so much admired, makes this power one of the foundations of liberty.

The English history abounds with instances, proving that this is the proper and successful way to obtain redress of grievances. How often have kings and ministers endeavoured to throw off this legal curb upon them, by attempting to raise money by a variety of inventions, under pretence of law, without having recourse to parliament? And how often have they been brought to reason, and peaceably obliged to do justice, by the exertion of this constitutional authority of the people, vested in the representatives?

The inhabitants of these colonies have, on numberless occasions, reaped the benefit of this authority lodged in their assemblies.

It

It has been for a long time, and now is, a constant instruction to all governors, to obtain a PERMANENT support for the offices of government. But as the author of "the administration of the colonies" says, "this order of the crown is generally, if not universally, rejected by the legislatures of the colonies."

They perfectly know how much their grievances would be regulated, if they had no other method of engaging attention, than by complaining! Those who rule, are extremely apt to think well of the constructions made by themselves in support of their own power. These are frequently erroneous, and pernicious to those they govern. Dry remonstrances, to shew that such constructions are wrong and oppressive, carry very little weight with them in the opinion of persons who gratify their own inclinations in making these constructions. They cannot understand the reasoning that opposes their power and desires. But let it be made their interest to understand such reasoning — and a wonderful light is instantly thrown upon the matter; and then, rejected remonstrances become as clear as "proofs of holy writ.*"

The three most important articles that our assemblies, or any legislatures can provide for, are, first—the defence of the society: secondly—the administration of justice: and thirdly—the support of civil government.

Nothing can properly regulate the expence of making provision for these occasions, but the necessities of the society; its abilities; the convenience of modes, of levying money among them; the manner in which the laws have been executed; and the conduct of the officers of

* Shakespeare.

government: all which are circumstances that cannot possibly be properly known, but by the society itself; or if they should be known, will not probably be properly considered but by that society.

If money be raised upon us by others, without our consent, for our "defence," those who are the judges in levying it, must also be the judges in applying it. Of consequence the money said to be taken from us for our defence, may be employed to our injury. We may be chained in by a line of fortifications—obliged to pay for the building and maintaining them—and be told, that they are for our defence. With what face can we dispute the fact, after having granted that those who apply the money, had a right to levy it? For surely, it is much easier for their wisdom to understand how to apply it in the best manner, than how to levy it in the best manner. Besides, the right of levying is of infinitely more consequence, than that of applying. The people of England, who would burst out into fury, if the crown should attempt to levy money by its own authority, have always assigned to the crown the application of money.

As to "the administration of justice"—the judges ought, in a well regulated state, to be equally independant of the executive and legislative powers. Thus in England, judges hold their commissions from the crown "during good behaviour," and have salaries suitable to their dignity, settled on them by parliament. The purity of the courts of law since this establishment, is a proof of the wisdom with which it was made.

But in these colonies, how fruitless has been every attempt to have the judges appointed

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"during

“during good behaviour?” Yet whoever considers the matter will soon perceive, that such commissions are beyond all comparison more necessary in these colonies, than they were in England.

The chief danger to the subject there, arose from the arbitrary designs of the crown; but here the time may come, when we may have to contend with the designs of the crown and of a mighty kingdom. What then must be our chance, when the laws of life and death are to be spoken by judges totally dependant on that crown, and that kingdom—sent over perhaps from thence—filled with British prejudices—and backed by a standing army—supported out of our own pockets, to “assert and maintain” our own “dependence and obedience.”

But supposing that through the extreme lenity that will prevail in the government through all future ages, these colonies will never behold any thing like the campaign of chief justice Jefferys, yet what innumerable acts of injustice may be committed, and how fatally may the principles of liberty be sapped, by a succession of judges utterly independant of the people? Before such judges, the supple wretches, who cheerfully join in avowing sentiments inconsistent with freedom, will always meet with smiles; while the honest and brave men, who disdain to sacrifice their native land to their own advantage, but on every occasion boldly vindicate her cause, will constantly be regarded with frowns.

There are two other considerations relating to this head, that deserve the most serious attention.

By the late act, the officers of the customs are impowered to enter into any house, warehouse, shop, cellar, or other place, in the British colonies

mies or plantations in America, to search for or seize prohibited or unaccustomed goods," &c. on "writs granted by the superior or supreme court of justice having jurisdiction within such colony or plantation respectively."

If we only reflect, that the judges of these courts are to be during pleasure—that they are to have "adequate provision" made for them, which is to continue during their complaisant behaviour—that they may be strangers to these colonies—what an engine of oppression may this authority be in such hands?

I am well aware, that writs of this kind may be granted at home under the seal of the court of exchequer: but I know also, that the greatest asserters of the rights of Englishmen have always strenuously contended, that such a power was dangerous to freedom, and expressly contrary to the common law, which ever regarded a man's house as his castle, or a place of perfect security.

If such a power was in the least degree dangerous *there*, it must be utterly destructive to liberty *here*. For the people there have two securities against the undue exercise of this power by the crown, which are wanting with us, if the late act takes place. In the first place, if any injustice is done there, the person injured may bring his action against the offender, and have it tried before independant judges, who are * no parties in committing the injury. Here he must have it tried before dependant judges, being the men who granted the writ.

* The writs for searching houses in England, are to be granted "under the seal of the court of exchequer," according to the statute—and that seal is kept by the chancellor of the exchequer. 4th Inst. p. 104.

To say, that the cause is to be tried by a jury, can never reconcile men who have any idea of freedom, to such a power. For we know, that sheriffs in almost every colony on this continent, are totally dependant on the crown; and packing of juries has been frequently practised even in the capital of the British empire. Even if juries are well inclined, we have too many instances of the influence of over-bearing, unjust judges upon them. The brave and wise men who accomplished the revolution, thought the independency of judges essential to freedom.

The other security which the people have at home, but which we shall want here, is this.

If this power is abused there, the parliament, the grand resource of the oppressed people, is ready to afford relief. Redress of grievances must precede grants of money. But what regard can we expect to have paid to our assemblies, when they will not hold even the puny privilege of French parliaments—that of registering, before they are put in execution, the edicts that take away our money.

The second consideration above hinted at, is this. There is a confusion in our laws, that is quite unknown in Great-Britain. As this cannot be described in a more clear or exact manner, than has been done by the ingenious author of the History of New-York, I beg leave to use his words. “The state of our laws opens a door to much controversy. The uncertainty, with respect to them, renders property precarious, and greatly exposes us to the arbitrary decision of bad judges. The common law of England is generally received, together with such statutes as were enacted before we had a legislature

ture of our own; but our courts exercise a sovereign authority, in determining what parts of the common and statute law ought to be extended: for it must be admitted, that the difference of circumstances necessarily requires us, in some cases, to reject the determination of both. In many instances, they have also extended even acts of parliament, passed since we had a distinct legislature, which is greatly adding to our confusion. The practice of our courts is no less uncertain than the law. Some of the English rules are adopted, others rejected. Two things therefore seem to be absolutely necessary for the public security. First, the passing an act for settling the extent of the English laws. Secondly, that the courts ordain a general sett of rules for the regulation of the practice."

How easy it will be, under this "state of our laws," for an artful judge, to act in the most arbitrary manner, and yet cover his conduct under specious pretences; and how difficult it will be for the injured people to obtain relief, may be readily perceived. We may take a voyage of 3000 miles to complain; and after the trouble and hazard we have undergone, we may be told, that the collection of the revenue, and maintenance of the prerogative, must not be discouraged—and if the misbehaviour is so gross as to admit of no justification, it may be said, that it was an error in judgment only, arising from the confusion of our laws, and the zeal of the King's servants to do their duty.

If the commissions of judges are during the pleasure of the crown, yet if their salaries are during the pleasure of the people, there will be
some

some check upon their conduct. Few men will consent to draw on themselves the hatred and contempt of those among whom they live, for the empty honour of being judges. It is the sordid love of gain, that tempts men to turn their backs on virtue, and pay their homage where they ought not.

As to the third particular, "the support of civil government"—few words will be sufficient. Every man of the least understanding must know, that the executive power may be exercised in a manner so disagreeable and harrassing to the people, that it is absolutely requisite, that they should be enabled, by the gentlest method which human policy has yet been ingenious enough to invent, that is, by shutting their hands, to "admonish" (as Mr. Hume says) certain persons "of their duty."

What shall we now think, when, upon looking into the late act, we find the assemblies of these provinces thereby stript of their authority on these several heads? The declared intention of the act is, "that a revenue should be raised in his Majesty's dominions in America, for making a more certain and adequate provision for defraying the charge of the administration of justice, and the support of civil government in such provinces where it shall be found necessary, and towards further defraying the expences of defending, protecting and securing the said dominions.

Let the reader pause here one moment—and reflect—whether the colony in which he lives, has not made such "certain and adequate provision" for these purposes as is by the colony judged suitable to its abilities, and all other circumstances.

cumstances. Then, let him reflect—whether if this act takes place, money is not to be raised on that colony, without its consent, to make “provision” for these purposes, which it does *not* judge to be suitable to its abilities, and all other circumstances. Lastly, let him reflect—whether the people of that country are not in a state of the most abject slavery, whose property may be taken from them under the notion of right, when they have refused to give it.

For my part, I think I have good reason for vindicating the honour of the assemblies on this continent, by publicly asserting, that they have made as “certain and adequate provision” for the purposes abovementioned, as they ought to have made, and that it should not be presumed, that they will not do it hereafter. Why then should these most important trusts be wrested out of their hands? Why should they not now be permitted to enjoy that authority, which they have exercised from the first settlement of these colonies? Why should they be scandalized by this innovation, when their respective provinces are now, and will be for several years, labouring under loads of debt, imposed on them for the very purpose now spoken of? Why should all the inhabitants of these colonies be, with the utmost indignity, treated as a herd of despicable stupid wretches, so utterly void of common sense, that they will not even make “adequate provision” for the “administration of justice, and the support of civil government” among them, or for their own “defence”—though without such “provision” every people must inevitably be overwhelmed with anarchy and destruction? Is it possible to form an idea of
a slavery

slavery more compleat, more miserable, more disgraceful, than that of a people, where justice is administered, government exercised, and a standing army maintained, at the expence of the people, and yet without the least dependance upon them? If we can find no relief from this infamous situation, let Mr. Grenville set his fertile fancy again at work, and as by one exertion of it he has stript us of our property and liberty, let him by another deprive us of our understanding; that, unconscious of what we have been or are, and ungoaded by tormenting reflections, we may bow down our necks, with all the stupid serenity of servitude, to any drudgery, which our lords and masters shall please to command.

When the charges of the "administration of justice," the "support of civil government," and the expences of "defending, protecting and securing" us, are provided for, I should be glad to know, upon what occasions the crown will ever call our assemblies together. Some few of them may meet of their own accord, by virtue of their charters. But what will they have to do, when they are met? To what shadows will they be reduced? The men, whose deliberations heretofore had an influence on every matter relating to the liberty and happiness of themselves and their constituents, and whose authority in domestic affairs at least, might well be compared to that of Roman senators, will now find their deliberations of no more consequence, than those of constables. They may perhaps be allowed to make laws for the yoking of hogs, or pounding of stray cattle. Their influence will hardly be permitted

mitted to extend so high, as the keeping roads in repair, as that business may more properly be executed by those who receive the public cash. One most memorable example in history is so applicable to the point now insisted on, that it will form a just conclusion of the observations that have been made.

Spain was once free. Their Cortes resembled our parliaments. No money could be raised on the subject, without their consent. One of their kings having received a grant from them, to maintain a war against the Moors, desired, that if the sum which they had given, should not be sufficient, he might be allowed, for that emergency only, to raise more money without assembling the Cortes. The request was violently opposed by the best and wisest men in the assembly. It was, however, complied with by the votes of a majority; and this single concession was a precedent for other concessions of the like kind, until at last the crown obtained a general power of raising money, in cases of necessity. From that period the Cortes ceased to be useful,—the people ceased to be free.

Venienti occurrere morbo.

Oppose a disease at its beginning.

A FARMER.

L LETTER

LETTER X.

My dear Countrymen,

THE consequences, mentioned in the last letter, will not be the utmost limits of our misery and infamy, if the late act is acknowledged to be binding upon us. We feel too sensibly, that any ministerial measures * relating to these colonies, are soon carried successfully through the parliament. Certain prejudices operate there so strongly against us, that it may be justly questioned, whether all the provinces united, will ever be able effectually to call to an account before the parliament, any minister who shall abuse the power by the late act given to the crown in America. He may divide the spoils torn from us in what manner he pleases, *and we shall have no way of making him responsible.* If he should order, that every governor shall have a yearly salary of 5000l. sterling; every chief justice of 3000l. every inferior officer in proportion; and should then reward the most profligate, ignorant, or needy dependants on himself or his friends, with places of the greatest trust, because they were of the greatest profit, this would be called an arrangement in consequence of the "adequate provision for defraying the charge of the administra-

* "The gentleman must not wonder he was not contradicted, when, as minister, he asserted the right of parliament to tax America. I know not how it is, but there is a modesty in this house, which does not chuse to contradict a minister. I wish gentlemen would get the better of this modesty. If they do not, perhaps the collective body may begin to abate of its respect for the representative." Mr.

tion of justice, and the support of the civil government:" and if the taxes should prove at any time insufficient to answer all the expences of the numberless offices, which ministers may please to create, surely the house of commons will be so "modest," as not to "contradict a minister" who shall tell them, it is become necessary to lay a new tax upon the colonies, for the laudable purposes of defraying the charges of the "administration of justice, and support of civil government" among them. Thus, in fact, we shall be † taxed by ministers. In short, it will be in their power to settle upon us any civil, ecclesiastical, or military establishment, which they chuse.

We may perceive, by the example of Ireland, how eager ministers are to seize upon any settled revenue, and apply it in supporting their own power. Happy are the men, and happy the people, who grow wise by the misfortunes of others. Earnestly, my dear countrymen, do I beseech the author of all good gifts, that you may grow wise in this manner; and if I may be allowed to take such a liberty, I beg leave to recommend to you in general, as the best me-

† "Within this act (*statute de tallagio non concedendo*) are all new offices erected with new fees, or old offices with new fees, for that is a tallage put upon the subject, which cannot be done without common assent by act of parliament. And this doth notably appear by a petition in parliament in anno, 13, H. IV. where the commons complain, that an office was erected for measurage of cloths and canvas, with a new fee for the same, by colour of the king's letters patent, and pray that these letters patent may be revoked, for that the king could erect no offices with new fees to be taken of the people, who may not so be charged but by parliament." 2d Inst. p. 533.

thod of attaining this wisdom, diligently to study the histories of other countries. You will there find all the arts, that can possibly be practised by cunning rulers, or false patriots among yourselves, so fully delineated, that, changing names, the account would serve for your own times.

It is pretty well known on this continent, that Ireland has, with a regular consistency of injustice, been cruelly treated by ministers in the article of pensions; but there are some alarming circumstances relating to that subject, which I wish to have better known among us.

† The revenue of the crown there, arises principally from the Excise granted “for payment of the army, and defraying other public charges, in defence and preservation of the kingdom”—from the tonnage and additional poundage granted “for protecting the trade of the kingdom at sea, and augmenting the public revenue.”—from the hearth money granted—as a “public revenue, for public charges and expences.” There are some other branches of the revenue, concerning which there is not any express appropriation of them for *public service*, but which were plainly so intended.

† An enquiry into the legality of pensions on the Irish establishment, by Alexander M'Aulay, Esq; one of the King's council, &c.

Mr. M'Aulay concludes his piece in the following beautiful manner. “If any pensions have been obtained on that establishment, to serve the corrupt purposes of ambitious men.—If his Majesty's revenues of Ireland have been employed in pensions, to debauch his Majesty's subjects of both kingdoms.—If the treasure of Ireland has been expended in pensions, for corrupting men of that kingdom to betray their country; and men of the neighbouring kingdom to

Of

Of these branches of the revenue the crown is only trustee for the public. They are unalienable. They are inapplicable to any other purposes, but those for which they were established; and therefore are not legally chargeable with pensions.

There is another kind of revenue, which is a private revenue. This is not limited to any public uses; but the crown has the same property in it, that any person has in his estate. This does not amount, at the most to *fifteen thousand pounds*, a year, probably not to seven, and is the only revenue, that can be legally charged with pensions.

betray both.---If Irish pensions have been procured, to support gamesters and gaming houses; promoting a vice which threatens national ruin.---If pensions have been purloined out of the national treasure of Ireland, under the mask of salaries annexed to public offices, useless to the nation; newly invented, for the purposes of corruption.---If Ireland, just beginning to recover from the devastations of massacre and rebellion, be obstructed in the progress of her cure, by *swarms of pensionary vultures preying on her vitals*---If, by squandering the national substance of Ireland, in a licentious unbounded profusion of pensions, instead of employing it in nourishing and improving her *infant* agriculture, trade, and manufactures, or in enlightening and reforming her poor, ignorant, deluded, miserable natives (by nature most amiable, most valuable, most worthy of public attention)---If by such abuse of the national substance, sloth and nastiness, cold and hunger, nakedness and wretchedness, popery, depopulation and barbarism, still maintain their ground; still deform a country, abounding with all the riches of nature, yet hitherto destined to beggary.---If such pensions be found on the Irish establishment; let such be cut off: and let the perfidious advisers be branded with indelible characters of public infamy; adequate, if possible, to the dishonour of their crime."

If

If ministers were accustomed to regard the rights or happiness of the people, the pensions in Ireland would not exceed the sum just mentioned: but long since have they exceeded that limit; and in December 1765, a motion was made in the house of commons in that kingdom, to address his majesty on the great increase of pensions on the Irish establishment, amounting to the sum of 158,685 l.—in the last two years.

Attempts have been made to gloss over these gross encroachments, by this specious argument—"That expending a competent part of the public revenue in pensions, from a principle of charity or generosity, adds to the dignity of the crown; and is therefore useful to the public." To give this argument any weight, it must appear, that the pensions proceed from "charity or generosity only"—and that it "adds to the dignity of the crown," to act *directly contrary to law*.—

From this conduct towards Ireland, in open violation of law, we may easily foresee what we may expect, when a minister will have the whole revenue of *America* in his own hands, to be disposed of at his own pleasure: for all the monies raised by the late act are to be "applied by virtue of warrants under the sign manual, countersigned by the high treasurer, or any three of the commissioners of the treasury. The "residue" indeed is to be "paid into the receipt of the exchequer, and to be disposed of by parliament." So that a minister will have nothing to do, but to take care, that there shall be no "residue," and he is superior to all controul.

Besides

Besides the burden of pensions in Ireland, which have enormously increased within these few years, almost all the offices in that poor kingdom, have been, since the commencement of the present century, and now are bestowed upon strangers. For though the merit of persons born there, justly raises them to places of high trust when they go abroad, as all Europe can witness, yet he is an uncommonly lucky Irishman, who can get a good post in his native country.

When I consider the * manner in which that island

* In Charles the second's time the house of commons, influenced by some factious demagogues, were resolved to prohibit the importation of Irish cattle into England. Among other arguments in favour of Ireland it was insisted—"That by cutting off almost entirely the trade between the kingdoms, all the natural bands of union were dissolved, and nothing remained to keep the Irish in their duty, but force and violence.

"The king (says Mr. Hume, in his history of England) was so convinced of the justness of these reasons, that he used all his interest to oppose the bill, and he openly declared, that he could not give his assent to it with a safe conscience. But the commons were resolute in their purpose."—"And the spirit of tyranny, of which nations are as susceptible as individuals, had animated the English extremely to exert their superiority over their dependant state. No affair could be conducted with greater violence than this by the commons. They even went so far in the preamble of the bill, as to declare the importation of Irish cattle to be a nuisance. By this expression they gave scope to their passion, and at the same time barred the king's prerogative, by which he might think himself entitled to dispense with a law, so full of injustice and bad policy. The lords expunged the word, but as the king was sensible that no supply would be given by the commons, unless they were gratified in all their prejudices, he was obliged both to employ his interest with the peers, to make the bill pass, and to give the royal assent to it. He could not, however, forbear expressing

island has been uniformly depressed for so many

pressing his displeasure, at the jealousy entertained against him, and at the intention which the commons discovered of retrenching his prerogative.

This law brought great distress for some time upon Ireland, but it has occasioned their applying with greater industry to manufactures, and has proved in the issue beneficial to that kingdom."

Perhaps the same reason occasioned the "barring the king's prerogative" in the late act suspending the legislation of New-York.

This we may be assured of, that we are as dear to his majesty, as the people of Great-Britain are. We are his subjects as well as they, and as faithful subjects; and his majesty has given too many, too constant proofs of his piety and virtue, for any man to think it possible, that such a prince can make any unjust distinction between such subjects. It makes no difference to his majesty, whether supplies are raised in Great-Britain, or America; but it makes some difference to the commons of that kingdom.

To speak plainly, as becomes an honest man on such important occasions, all our misfortunes are owing to a lust of power in men of abilities and influence. This prompts them to seek popularity by expedients profitable to themselves, though ever so destructive to their country.

Such is the accursed nature of lawless ambition, and yet—What heart but melts at the thought!—Such false detestable patriots, in every nation, have led their blind, confiding country, shouting their applauses, into the jaws of shame and ruin. May the wisdom and goodness of the people of Great-Britain, save them from the usual fate of nations.

"—— mentem mortalia tangunt."

years

years past, with this pernicious particularity of their parliament continuing as long as the crown pleases, I am astonished to observe such a love of liberty still animating that *loyal* and *generous* nation; and nothing can raise higher my idea of the *integrity* and *public spirit* of a People, who have preserved the sacred fire of freedom from being extinguished, though the altar on which it burnt, has been overturned.

In the same manner shall we unquestionably be treated, as soon as the late taxes laid upon us,

● The last Irish parliament continued 33 years, during all the late king's reign. The present parliament there has continued from the beginning of this reign, and probably will continue till the reign ends.

|| I am informed that within these few years, a petition was presented to the house of commons, setting forth, "that herrings were imported into Ireland from some foreign parts of the north so cheap, as to discourage the British herring fishery, and therefore praying that some remedy might be applied in that behalf by parliament.

That upon this petition, the house came to a resolution, to impose a duty of two shillings sterling on every barrel of foreign herrings imported into Ireland; but afterwards dropt the affair, *for fear of engaging in a dispute with Ireland about the right of taxing her.*

So much higher was the opinion, which the house entertained of the spirit of Ireland, than of that of these colonies.

I find, in the last English papers, that the resolution and firmness with which the people of Ireland have lately asserted their freedom, have been so alarming to Great Britain, that the lord lieutenant, in his speech on the 20th of last October, "recommended to that parliament, that such provision may be made for securing the judges in the enjoyment of their offices and appointments, *during their good behaviour*," as shall be thought most expedient."

What an important concession is thus obtained, by making demands becoming freemen, with a courage and perseverance becoming freemen!

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shall make posts in the "government," and the "administration of justice" here, worth the attention of persons of influence in Great Britain. We know enough already to satisfy us of this truth. But this will not be the worst part of our case.

The principals in all great offices will reside in England, making some paltry allowance to deputies for doing the business here. Let any man consider what an exhausting drain this must be upon us, when ministers are possessed of the power of affixing what salaries they please to posts, and he must be convinced how destructive the late act will be. The injured kingdom lately mentioned, can tell us the mischiefs of *absentees*; and we may perceive already the same disposition taking place with us. The government of New York has been exercised by a deputy. That of Virginia is now held so; and we know a number of secretaryships, collectorships, and other offices held in the same manner.

True it is, that if the people of Great Britain were not too much blinded by the passions, that have been artfully excited in their breasts, against their dutiful children the colonists, these considerations would be nearly as alarming to them as to us. The influence of the crown was thought by wise men, many years ago, too great, by reason of the multitude of pensions and places bestowed by it. These have been vastly increased since*, and perhaps it would be no difficult

* One of the reasons urged by that great and honest statesman Sir William Temple, to Charles the second, in his famous remonstrance, to dissuade him from aiming at arbitrary

ficult matter to prove the people have decreased.

Surely therefore, those who wish the welfare of their country, ought seriously to reflect, what may be the consequence of such a new creation of offices, in the disposal of the crown. The army, the administration of justice, and the civil government here, with such salaries as the crown shall please to annex, will extend ministerial influence as much beyond its former bounds, as the late war did the British dominions.

But whatever the people of Great Britain may think on this occasion, I hope the people of these colonies will unanimously join in this sentiment, that the late act of parliament is injurious to

bitrary power, was, that the king "had few offices to bestow." Hume's hist. of England.

"Tho' the wings of prerogative have been clipt, the influence of the crown is greater than ever it was in any period of our history. For when we consider the vast body of persons employed in the collection of the revenue in every part of the kingdom, the inconceivable number of placemen, and candidates for places in the customs, in the excise, in the post office, in the dock yards, in the ordnance, in the salt office, in the stamps, in the navy and victualling offices, and in a variety of other departments; when we consider again the extensive influence of the money corporations, subscription jobbers and contractors, the endless dependencies created by the obligations conferred on the bulk of the gentlemen's families throughout the kingdom, who have relations preferred in our navy and numerous standing army; when I say, we consider how wide, how binding a dependance on the crown is created on the above enumerated particulars; and the great, the enormous weight and influence which the crown derives from this extensive dependance upon its favour and power, any lord in waiting, any lord of the bed-chamber, any man may be appointed minister."

A doctrine to this effect is said to have been the advice of L^{td} H-----.

Late News Paper.

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their

their liberty, and that this sentiment will unite them in a firm opposition to it, in the same manner as the dread of the stamp-act did.

Some persons may imagine the sums to be raised by it, are but small, and therefore may be inclined to acquiesce under it. A conduct more dangerous to freedom, as before has been observed, can never be adopted. Nothing is wanting at home but a *precedent*, the force of which shall be established, by the tacit submission of the colonies. With what zeal was the statute erecting the post-office, and another relating to the recovery of debts in America, urged and tortured, as precedents in support of the stamp-act, tho' wholly inapplicable. If the parliament succeeds in this attempt, other statutes will impose other duties. Instead of taxing ourselves, as we have been accustomed to do, from the first settlement of these provinces, all our usual taxes will be converted into parliamentary taxes on our importations; and thus the parliament will levy upon us such sums of money as they chuse to take without any other limitation, than their pleasure.

We know how much labour and care have been bestowed by these colonies, in laying taxes in such a manner, that they should be most easy

* "Here may be observed, that when any ancient law or custom or parliament is broken, and the crown possessed of a precedent, how difficult a thing it is to restore the subject again to his *former freedom and safety*." 2d Coke's Inst. p. 529.

"It is not almost credible to foresee, when any maxim or fundamental law of this realm is altered (as elsewhere hath been observed) what dangerous inconveniencies do follow." 4th Coke's Inst. p. 41.

to the people, by being laid on the proper articles; most equal, by being proportioned to every man's circumstances; and the cheapest, by the method directed for collecting them.

But parliamentary taxes will be laid on us, without any consideration, whether there is any easier mode. The only point regarded will be, the certainty of levying taxes, and not the convenience of the people on whom they are to be levied; and therefore all statutes on this head will be such as will be most likely, according to the favourite phrase, "to execute themselves."

Taxes in every free state have been and ought to be, as exactly proportioned as is possible to the abilities of those who are to pay them. They cannot otherwise be just. Even a Hottentot would comprehend the unreasonableness of making a poor man pay as much for "defending" the property of a rich man, as the rich man pays himself.

Let any person look into the late act of parliament, and he will immediately perceive, that the immense estate of lord Fairfax, lord * Baltimore and our proprietors which are amongst his majesty's other "*dominions*" to be "defended, protected and secured" by the act will not pay a single farthing for the duties thereby imposed except lord Fairfax wants some of his windows

* Maryland and Pensilvania have been engaged in the warmest disputes, in order to obtain an equal and just taxation of their proprietors estates: but this late act of parliament does more for those proprietors than they themselves would venture to demand. It totally exempts them from taxation--tho' their vast estates are to be "secured" by the taxes of other people.

glazed;

glazed; lord Baltimore and our proprietaries are quite secure, as they live in England.

I mention these particular cases, as striking instances how far the late act is a deviation from that principle of justice, which has so constantly distinguished our own laws on this continent, and ought to be regarded in all laws.

The third consideration with our continental assemblies in laying taxes, has been the method of collecting them. This has been done by a few officers, under the inspection of the respective assemblies, with moderate allowances. No more was raised from the subject, than was used for the intended purposes. But by the late act, a minister may appoint as many officers as he pleases for collecting the taxes; may assign what salaries he thinks "adequate," and they are subject to no inspection but his own.

In short, if the late act of Parliament takes effect, these colonies must dwindle into "*common corporations*," as their enemies in the debates concerning the repeal of the stamp-act, strenuously insisted they were; and it seems not improbable that some future historian may thus record our fall.

"The eighth year of this reign was distinguished by a very memorable event, the American colonies then submitting for the *first* time, to be taxed by the British parliament. An attempt of this kind had been made about two years before, but was defeated by the vigorous exertions of the several provinces, in defence of their liberties. Their behaviour on that occasion rendered their name very celebrated for a short time all over Europe; all states being extremely attentive to a dispute between Great-Britain,

Britain, and so considerable a part of her dominions. For as she was thought to be grown too powerful by the successful conclusion of the war she had been engaged in, it was hoped by many, that as it happened before to other kingdoms, civil disorders would afford opportunities of revenging all the injuries supposed to be received from her. However, the cause of dissention was removed, by a repeal of the statute that had given offence. This affair rendered the *submissive conduct* of the colonies so soon after, the more extraordinary; there being no difference between the mode of taxation which they opposed, and that to which they submitted, but this, that by the first, they were to be continually reminded that they were taxed, by certain marks stamped on every piece of paper or parchment they used. The authors of that statute triumphed greatly on this conduct of the colonies, and insisted that if the people of Great-Britain had persisted in enforcing it, the Americans would have been, in a few months, so fatigued with the efforts of patriotism, that they would quickly have yielded obedience.

“ Certain it is, that tho’ they had before their eyes so many illustrious examples in their mother country, of the constant success attending firmness and perseverance, in opposition to dangerous encroachments on liberty, yet they quietly gave up a point of the *last importance*. From thence the decline of their freedom began, and its decay was extremely rapid; for as money was always raised upon them by the parliament, their assemblies grew immediately useless, and in a short time contemptible: and in less than one hundred years,

years the people sunk down into that tameness and supineness of spirit, by which they still continue to be distinguished.

Ei majores vestros & postereros cogitate.

Remember your ancestors and your posterity.

A FARMER.

L E T T E R XI

My Dear Countrymen,

I Have several times in the course of these letters, mentioned the late act of parliament, as being the foundation of future measures injurious to these colonies; and the belief of this truth, I wish to prevail, because I think it necessary to our safety

A perpetual jealousy respecting liberty, is absolutely requisite in all free states. The very texture of their constitution in mixt governments demands it. For the cautions with which power is distributed among the several orders, imply, that each has that share which is proper for the general welfare, and therefore, that any further acquisition must be pernicious. ● Machiavel employs a whole chapter in his discourses, to prove that a state, to be long lived, must be frequently corrected and reduced to it's first principles. But of all the states that have existed, there never was any, in which this jealousy could be more proper than in the colonies. For the

● Machiavel's discourses,--b. 3, ch. 1.

government here is not only mixt, but dependant, which circumstance occasions a peculiarity in its form, of a very delicate nature.

Two reasons induce me to desire, that this spirit of apprehension may be always kept among us, in it's utmost vigilance. The first is this, that as the happiness of these provinces indubitably consists in their connection with Great Britain, any separation between them is less likely to be occasioned by civil discords, if every disgusting measure is opposed singly and while it is new. For in this manner of proceeding, every such measure is most likely to be rectified. On the other hand, oppressions and dissatisfactions being permitted to accumulate---if ever the governed throw off the load, they will do more. A people does not reform with moderation.

The rights of the subjects therefore cannot be too often considered, explained or asserted; and whoever attempts to do this, shews himself whatever may be the rash and peevish reflections of pretended wisdom, and pretended duty, a friend to those who injudiciously exercise their power, as well as to them over whom it is so exercised.

Had all the points of prerogative, claimed by Charles the first, been separately contested and settled in preceding reigns, his fate would in all probability have been very different; and the people would have been content with that liberty which is compatible with regal authority. But he thought, it would be as dangerous

* The author is sensible, that this is putting the gentlest construction on Charles's conduct; and that is the reason he

gerous for him, to give up the powers which at any time had been by usurpation exercised by the crown, as those, that were legally vested in it. This produced an equal excess on the part of the people : for when their passions were excited by multiplied grievances, they thought it would be as dangerous for them, to allow the powers that were legally vested in the crown, as those which at any time had been by usurpation exercised by it. Acts, that might by themselves, have been upon many considerations excused or extenuated, derived a contagious malignancy and odium from other acts, with which they were connected. They were not regarded according to the single force of each, but as parts of a system of oppression. Every one therefore, however small in itself, became alarming, as an additional evidence of tyrannical designs. It was in vain for prudent and moderate men to insist, that there was no necessity to abolish royalty : Nothing less than the utter destruction of monarchy could satisfy those, who had suffered, and thought they had reason to believe they always should suffer under it.

The consequences of these mutual distrusts are well known. But there is no other people mentioned in history, that I recollect, who have been so constantly watchful of their liberty, and

chuses it. Allowances ought to be made for the errors of those men, who are acknowledged to have been possess of many virtues. The education of this unhappy prince, and his confidence in men not so good or wise as himself, had probably filled him with mistaken notions of his own authority, and of the consequences that would attend concessions of any kind to a people, who were represented to him as aiming at too much power.

so successful in their struggles for it, as the English. This consideration leads me to a second reason, why I “ desire that the spirit of apprehension may be always kept up among us, in its utmost vigilance.”

The first principles of government are to be looked for, in human nature. Some of the best writers have asserted, and it seems with good reason, that “ government is founded on Opinion.”

Custom undoubtedly, has a mighty force in producing opinion, and reigns in nothing more arbitrarily than in public affairs. It gradually reconciles us to objects even of dread and detestation, and I cannot but think these lines of Mr. Pope as applicable to vice in politics as to vice in ethics---

“ Vice is a monster of so horrid mien,
“ As to be hated, needs but to be seen;
“ Yet seen too oft, familiar with her face,
“ We first endure, then pity, then embrace.”

When an act injurious to freedom has been once done, and the people bear it, the repetition of it is most likely to meet with submission: For as the mischief of the one was found to be tolerable, they will hope the second will prove so too; and they will not regard the infamy of the last, because they are stained with that of the first.

Indeed nations in general are more apt to feel than to think; and therefore nations in general have lost their liberty: For as the violation of the rights of the governed, are commonly not only

● Hume's Essays.

● *Omnia mala exempla ex bonis initiis orta sunt.*

Sall. Bell. Cat. 1. 50.

spread over the multitude in such a manner, as to touch individuals but slightly; thus they are disregarded. The power or profit that arises from these violations, centering in a few persons, is to them considerable. For this reason, the governors having in view their particular purposes, successively preserve an uniformity of conduct for attaining them; they regularly increase and multiply the first injuries, till at length the inattentive people are compelled to perceive the heaviness of their burthens. They begin to complain and inquire—but too late. They find their oppressions strengthened by success, and themselves so intangled in examples of express authority on the part of their rulers, and tacit recognition on their own part, that they are quite confounded: For millions entertain no other idea of the legality of power, than that it is founded on the the exercise of power. They then voluntarily fasten their chains by adopting a pusillanimous opinion, “that there will be too

● “The republic is always attacked with greater vigour than it is defended: for the audacious and profligate, prompted by their natural enmity to it, are easily impelled to act upon the least nod of their leaders: whereas the *honest*, I know not why, are generally slow and unwilling to stir; and neglecting always the *beginning of things*, are never roused to exert themselves, but by the last necessity; so that through *irresolution* and *delay*, when they would be glad to compound at last for their *quiet*, at the expence even of their *honour*, they commonly lose them *both*.”

Cicero's orat. for Sextius.

Such were the sentiments of this great and excellent man, whose vast abilities, and the calamities of the time in which he lived, enabled him, by mournful experience, to form a just judgment on the conduct of the friends and enemies of liberty.

much

much danger in attempting a remedy"—or another opinion no less fatal, "that the government has a right to treat them as it does."

They then seek a wretched relief for their minds, by persuading themselves, that to yield their obedience, is to discharge their duty. The deplorable poverty of spirit, that prostrates all the dignity bestowed by Divine Providence on our nature—of course succeeds.

From these reflections, I conclude that every free state should incessantly watch, and instantly take alarm on any addition being made to the power exercised over them. Innumerable instances might be produced to shew, from what slight beginnings the most extensive consequences have flowed: But I select two only, from the history of England.

Henry the seventh, was the first monarch of that kingdom, who established a standing body of armed men; this was a band of fifty archers, called Yeomen of the Guard; and this institution, notwithstanding the smallness of the number, occasioned discontent. In 1648 the standing forces were so much augmented, that Rapin says—"The king in order to make his people fully sensible of their new slavery, affected to muster his troops, which amounted to 4000 well armed and disciplined men," I think our army at this time consists of more than seventy regiments.

The method of taxing by *excise*, was first introduced amidst the convulsions of the civil wars. Extreme necessity was pretended, and its short continuance promised. After the restoration, an excise upon beer, ale, and other liquors was granted to
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the king*, one half in fee, the other for life; as an equivalent for the court of wards. Upon James the second's accession, the II parliament gave him the first excise with an additional duty on wine, tobacco, and some other things. Since the revolution, it has been extended to salt, candles, leather, hides, hops, soap, paper, pasteboards, millboards, scaleboards, vellum, parchment, starch, silks, calicoes, linens, stuffs, printed, stained, &c. wines, wrought plate, coffee, tea, chocolate, &c.

Thus; a standing army and excise, have from their first slender origin, tho' always feared, always opposed, swelled up to their present vast bulk.

These facts are sufficient to support what I have said. 'Tis true, that all the mischief apprehended by our ancestors, from a standing army and excise, have not yet happened; but it does not follow from thence, that they will not happen. The inside of a house may catch fire, and the most valuable apartments be ruined, before the flame bursts out. The question in these cases is not, what evil has actually attended particular measures—but, what evil in the nature of things, is likely to attend them. Certain circumstances may for some time delay effects, that were reasonably expected, and that must ensue. There was a long period after the Romans had prorogued his command to • *Quintus Publilius Philo* before,

* 12 *Car.* II. ch. 23 and 24.

|| 1 *Jac.* II. ch. 1 and 4.

● In the year of the city 428—" *Duo singularia hæc ei viro primum contingere : Prorogatio imperii non ante in ullo facta,*

before that example destroyed their liberty. All our kings from the revolution to the present reign, have been foreigners. Their ministers, generally continued but a short time in || authority; and they themselves were mild and virtuous princes,

A bold ambitious prince, possessed of great abilities, firmly fixed in his throne by descent, served by ministers like himself, and rendered either venerable or terrible by the glory of his successes, may execute what his predecessors did not dare to attempt. Henry the fourth, tottered in his seat, during his whole reign. Henry the fifth, drew the strength of the kingdom into France, to carry on his wars there, and left the commons at home, protesting, "that the people were not bound to serve out of the realm."

It is granted, that a strong spirit of liberty subsists at present in Great-Britain; but what reliance is to be placed in the temper of a people when the prince is possessed of an unconstitutional power, our own history can sufficiently inform

facta, et alto honore triumphus."

Lib. b. 8. ch. 23, 26.

"Had the rest of the Roman citizens imitated the example of *L. Quintius*, who refused to have his consulship continued to him, they had never admitted that custom of proroguing of magistrates, and then the prolongation of their commands in the army had never been introduced, which very thing was at length the ruin of that commonwealth."

Machiavel's discourses, b. 3, ch. 24.

|| I don't know but what it may be said with a good deal of reason, that a quick rotation of ministers is very desirable in Great-Britain. A minister there has a vast store of materials to work with. Long administrations are rather favourable to the reputation of a people abroad, than to their liberty.

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us. When Charles the second had strengthened himself, by the return of the garrison of Tangier, "England (says Rapin) saw on a sudden an amazing revolution; saw herself stripped of all her rights and privileges, excepting such as the king should vouchsafe to grant her: And what is more astonishing, the English themselves, delivered up these very rights and privileges to Charles the second, which they had so passionately, and if I may say it, furiously defended against the designs of Charles the first." This happened only thirty six years after his Father had been beheaded.

Some persons are of opinion, that liberty is not to be violated but by such open acts of force; but they seem to be greatly mistaken. I could mention a period within these forty years, when almost as great a change of disposition was procured by the secret measures of a long administration, as by Charles's violence. Liberty, perhaps, is never exposed to so much danger, as when the people believe there is the least; for it may be subverted, and they not think so.

Public disgusting acts, are seldom practised by the ambitious, at the beginning of their designs. Such conduct silences and discourages the weak, the selfish, the timid, the wicked, who would otherwise have been their advocates or accomplices. It is of great consequence, to allow those who upon any account are inclined to favour them, something specious to say in their defence. Their power may be fully established, though it would not be safe for them to do whatever they please. For there are things, which at some times, even slaves will not bear. Julius Cæsar, and Oliver Cromwell, did not dare to assume the
title

title of king. The Grand Seignior, dares not lay a new tax: the king of France dares not be a protestant. Certain popular points, may be left untouched, and yet freedom be extinguished. The commonalty of Venice, imagine themselves free, because they are permitted to do, what they ought not; but I quit a subject, that would lead me too far from my purpose.

By the late act of parliament, taxes are to be levied upon us, for "defraying the charge of the administration of justice—the support of civil government,—and the expences of defending his majesty's dominions in America."

If any man doubts what ought to be the conduct of these colonies on this occasion, I would ask him these questions.

Has not the parliament expressly *avowed* their *intention* of raising money from us for *certain purposes*? Is not this scheme popular in Great-Britain? Will the taxes imposed by the late act, answer those purposes? If they will, must it not take an immense sum from us? If they will not, is it to be expected, that the parliament will not fully execute their *intention*, when it is pleasing at home, and not opposed here? Must not this be done by imposing *new taxes*? Will not every addition thus made to our taxes, be an addition to the power of the British legislature, by increasing the number of officers employed in the collection? Will not every additional tax therefore render it more difficult to abrogate any of them? When a branch of revenue is once established, does it not appear to many people invidious and undutiful, to attempt to abolish it? If taxes sufficient to accomplish the *intention* of the parliament, are imposed by the parliament

ment, what taxes will remain to be imposed by our assemblies? If no material taxes remain to be imposed by them, what must become of them, and the people they represent?

● “ If any person considers these things, and yet thinks our liberties are in no danger, I wonder at that person’s security.”

One other argument is to be added, which of itself, I hope, will be sufficient to convince the most incredulous man on this continent, that the late act of parliament, is only designed to be a *precedent*, whereon the future vassalage of these colonies may be established.

Every duty thereby laid on articles of British manufacture, is laid on some commodity, upon the exportation of which from Great-Britain, a drawback is payable. The drawbacks in most of the articles are exactly double to the duties given by the late act. The parliament therefore might in half a dozen lines have raised *much more money* only by stopping the drawbacks in the hands of the officers at home, on exportation to these colonies, than by this solemn imposition of taxes upon us, to be collected here. Probably, the artful contrivers of this act formed it in this manner, in order to reserve to themselves, in case of any objections being made to it, this specious pretence—“ That the drawbacks are gifts to the colonies; and that the late act only lessens those gifts.” But the truth is, that the drawbacks are intended for the encouragement and promotion of British manufactures and commerce, and are allowed on exportation to any foreign parts, as well as

● *Demosthenes’s 2d. Phillipic.*

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on exportation to these provinces. Besides, care has been taken to slide into the act, some articles on which there are no drawbacks. However, the whole duties laid by the late act, on all the articles therein specified, are so small, that they will not amount to as much as the drawbacks which are allowed on part of them only. If, therefore, the sum to be obtained by the late act, had been the sole object in forming it, there would not have been any occasion for the "commons of Great-Britain to *give and grant* to his majesty rates and duties for raising a revenue in his majesty's dominions in America, for making a more certain and adequate provision for defraying the charge of the administration of justice, the support of civil government, and the expences of defending the said dominions."—Nor would there have been any occasion for an || expensive board of commissioners,

● Though duties by the late act are laid on some articles, on which no drawbacks are allowed, yet the duties imposed by the act are so small, in comparison with the drawbacks that are allowed, that all the duties together will not amount to so much as the drawbacks.

● The expence of this board, I am informed, is between four and five thousand pounds sterling a year. The establishment of officers for collecting the revenue in America amounted before, to £. 7600 *per annum*; and yet says the author of "the regulation of the colonies," "the whole remittance from all the taxes in the colonies at an average of thirty years has not amounted to £. 1900 a year, and in that sum, £. 700 or £. 800 only, have been remitted from North America.

The smallness of the revenue arising from the duties in America, demonstrates that they were intended only as

ners, and all other new charges to which we are made liable.

Upon the whole, for my part, I regard the late act as an experiment made of our disposition. It is a bird sent over the waters, to discover, whether the waves, that lately agitated this part of the world with so much violence, are yet subsided. If this adventurer gets footing here, we shall quickly be convinced, that it is not a Phoenix; for we shall soon see it followed by others of the same kind. We shall find it rather to be of the breed described by the poet——

"Infelix vates."

A direful foreteller of future calamities.

A FARMER.

L E T T E R. XII.

My Dear Countrymen,

SOME states have lost their liberty by particular accidents: but this calamity is generally owing to the decay of virtue. A people is travelling fast to destruction, when individuals consider

regulations of trade: And can any person be so blind to truth, so dull of apprehension in a matter of unspeakable importance to his country, as to imagine that the board of commissioners late established at such a charge, is instituted to assist in collecting £. 1900 a year, or the trifling duties imposed by the late act? Surely every man on this continent must perceive, that they are established for the care of a new system of revenue, which is but now begun.

* *"Dira Calano,"* &c. *Virg. Æneid 3.*

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their interests as distinct from those of the public. Such notions are fatal to their country and to themselves.

Yet how many are there, so weak and fordid as to think they perform all the offices of life, if they earnestly endeavour to encrease their own wealth, power, and credit, without the least regard for the society, under the protection of which they live; who, if they can make an immediate profit to themselves, by lending their assistance to those, whose projects, plainly tend to the injury of their country, rejoice in their dexterity, and believe themselves intitled to the character of able politicians? Miserable men! Of whom it is hard to say, whether they ought to be most the objects of pity or contempt: But whose opinions are certainly as detestable, as their practices are destructive.

Though I always reflect, with a high pleasure, on the integrity and understanding of my countrymen, which, joined with a pure and humble devotion to the great and gracious author of every blessing they enjoy, will, I hope ensure to them, and their posterity, all temporal and eternal happiness; yet when I consider, that in every age and country there have been bad men, my heart at this threatening period, is so full of apprehension, as not to permit me to believe, but that there may be some on this continent, against who ye ought to be upon your guard----Men, who either * hold, or expect to hold certain, advan-

* It is not intended by these words to throw any reflections upon gentlemen, because they are possessed of offices; for many of them are certainly men of virtue, and lovers of their country. But supposed obligations of gratitude

advantages, by setting examples of servility to their countrymen.-----Men, who trained to the employ-

tude and honour, may induce them to be silent. Whether these obligations ought to be regarded or not, is not so much to be considered by others, in the judgment they form of these gentlemen, as whether they think they ought to be regarded. Perhaps, therefore we shall act in the properest manner towards them, if we neither reproach nor imitate them. The persons meant in this letter are base spirited wretches, who may endeavour to distinguish themselves, by their fordid zeal, in defending and promoting measures, which they know, beyond all question, to be destructive to the just rights and true interest of their country. It is scarcely possible to speak of them with any degree of propriety. For no words can truly describe their guilt and meanness. But every honest man, on their being mentioned, will feel what cannot be expressed. If their wickedness did not bid them, they might perceive, along the coast of these colonies, many skeletons of wretched ambition; who, after distinguishing themselves, in support of the stamp-act, by a courageous contempt of their country and of justice, have been left to linger out their miserable existence, without a government, collectorship, secretaryship, or any other commission to console them, as well as it could, for loss of virtue and reputation-----while numberless offices have been bestowed in these colonies on people from Great-Britain, and new ones are continually invented to be thus bestowed. As a few great prizes are put into a lottery to tempt multitudes to lose, so here and there an American has been raised to a good post-----

" Apparent rari nantes in gurgite vasto."

Mr. Grenville, indeed, in order to recommend the stamp-act, had the unequalled generosity to pour down a golden shower of offices upon Americans; and yet these ungrateful colonies did not thank Mr. Grenville for shewing his kindness to their countrymen nor them for accepting it. How must that great statesman have been surprised to find, that the unpollished colonists could not be reconciled to infamy---by treachery? Such a bountiful disposition towards us never appeared in any minister before him, and probably never will appear again. For it is evident that such a system of policy

employment, or self-taught by a natural versatility of genius, serve as decoys for drawing the innocent and unwary into snares. It is not to be doubted but that such men will diligently bestir themselves on this and every like occasion, to spread the infection of their meanness as far as they can. On the plans they have adopted, this is their course. This is the method to recommend themselves to their patrons. They act consistently, in a bad cause. They run well, in a mean race.

From them we shall learn how pleasant and profitable a thing it is, to be for our *submissive* behaviour well spoken of at St. James's, or St. Stephen's; at Guildhall, or the Royal exchange. Specious fallacies will be dressed up with all the arts of delusion, to persuade one colony to distinguish herself from another, by unbecoming condescensions, which will serve the ambitious purposes of great men at home, and therefore will be thought by them to entitle their assistants in obtaining them, to considerable rewards.

cy is to be established on this continent, as, in a short time, is to render it utterly unnecessary to use the least art in order to conciliate our approbation of any measures. Some of our countrymen may be employed to fix chains upon us; but they will never be permitted to hold them afterwards. So that the utmost that any of them can expect, is only a temporary provision, that may expire in their own time; but which they may be assured, will preclude their children from having any consideration paid them. The *natives* of America will sink into total *neglect* and *contempt*, the moment that their country loses the constitutional powers she now possesses. Most sincerely do I wish and pray, that every one of us may be convinced of this great truth---that industry and integrity are the "paths of pleasantness," which lead to happiness.

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Our fears will be excited. Our hopes will be weakened. It will be insinuated to us, with a plausible affectation of wisdom and concern, how prudent it is to please the powerful—how dangerous to provoke them—and then comes in the perpetual incantation that freezes up every generous purpose of the soul in cold, inactive expectation—"that if there is any request to be made, compliance will obtain a favourable attention."

Our vigilance and our union are success and safety. Our negligence and our division are distress and death. They are worse—they are shame and slavery. Let us equally shun the benumbing stillness of over-weening sloth, and the feverish activity of that ill-formed zeal, which busies itself in maintaining little, mean and narrow opinions. Let us with a truly wise generosity and charity, banish and discourage all illiberal distinctions, which may arise from differences in situation, forms of government, or modes of religion. Let us consider ourselves as *men—freemen—christian freemen*—separated from the rest of the world, and firmly bound together by the same rights, interests and dangers. Let these keep our attention inflexibly fixed on the *great objects*, which we must *continually regard* in order to preserve those rights, to promote those interests, and to avert those dangers.

Let these truths be in deeply impressed on our minds—that we cannot be *happy*, without being *free*—that we cannot be free without being secure in our property—that we cannot be secure in our property, if, without our consent, others may, by right, take it away—that taxes imposed on us by parliament, do thus take it away—that duties laid for the sole purposes of raising money, are taxes—that attempts to lay
such

such duties should be instantly and firmly opposed—that this opposition can never be effectual, unless it is the united effort of these provinces—that therefore *benevolence* of temper towards each other, and *unanimity* of counsels, are essential to the welfare of the whole—and lastly, that for this reason, every man amongst us, who in any manner would encourage either dissention, diffidence, or indifference, between these colonies, is an enemy to himself, and to his country.

The belief of these truths, I verily think; my countrymen, is indispensably necessary to your happiness. I beseech you therefore, “teach them diligently unto your children, and talk of them when you sit in your houses, and when you walk by the way, and when you lie down, and when you rise up.”

What have these colonies to ask while they continue free? Or what have they to dread, but insidious attempts to subvert their freedom? Their prosperity does not depend on ministerial favours doled out to particular provinces. They form one political body, of which each colony is a member. Their happiness is founded on their constitution; and is to be promoted by preserving that Constitution in unabated vigour, throughout every part. A spot, a speck of decay, however small the limb on which it appears, and however remote it may seem from the vitals, should be alarming. We have all the rights requisite for our prosperity. The legal authority of Great-Britain may indeed lay hard restrictions upon us; but, like the spear of Telephus, it will cure as well as wound. Her unkindness will instruct and compel us, after some time, to discover, in our industry and frugality, surprising

remedies—If our rights continue unviolated: For as long as the products of our labour, and the rewards of our own care, can properly be called our own, so long will it be worth our while to be industrious and frugal. But if when we plow--sow--reap--gather--and thresh--we find, that we plow--sow--reap--gather--and thresh for others, whose *pleasure* is to be the *sole limitation* how much they shall take, and how much they shall leave, *why* should we repeat the unprofitable toil? Horses and men are content with that portion of the fruits of their work, which their *owners* assign to them, in order to keep them strong enough to raise successive crops; but even these beasts will not submit to draw for their masters, untill they are subdued with whips and goads. Let us take care of our rights, and we therein take care of our property. * “*Slavery is ever preceded by sleep.*” Individuals may be dependant on ministers, if they please, *States should scorn it*; —and if you are not wanting to yourselves, you will have a proper regard paid you by those, to whom if you are not respectable, you will infallibly be contemptible. But—if we have already forgot the reasons that urged us, with unexampled unanimity, to exert ourselves two years ago—if our zeal for the public good is worn out before the homespun cloaths which it caused us to have made if our resolutions are so faint, as by our present conduct to condemn our own late successful example—if we are not affected by any reverence for the memory of our ancestors, who transmitted to us that freedom in which they had been blest—if we are not animated by any regard for posterity, to whom, by the most sacred ob-

ligations, we are bound to deliver down the invaluable inheritance--*then*, indeed, any minister—or any tool of a minister—or any creature of a tool of a minister—or any lower * instrument of administration, if lower there be, is a personage whom it may be dangerous to offend.

I shall

* *Instrumenta regni.*" Tacitus's An. b. xii. f. 66. If any person shall imagine that he discovers in these letters the least disaffection towards our most excellent sovereign, and the parliament of Great-Britain; or the least dislike of the dependence of these colonies on that kingdom, I beg that such person will not form any judgment on particular expressions, but will consider the tenour of all the letters taken together. In that case, I flatter myself that every unprejudiced reader will be convinced, that the true interests of Great-Britain are as dear to me as they ought to be to every good subject.

If I am an enthusiast in any thing, it is in my zeal for the perpetual dependance of these colonies on their mother country.—A dependance founded on mutual benefits, the continuance of which can be secured only by mutual affections. Therefore it is, that with extreme apprehension I view the smallest seeds of discontent, which are unwarily scattered abroad. Fifty or sixty years will make astonishing alterations in these colonies; and this consideration should render it the business of Great-Britain more and more to cultivate our good dispositions towards her but the misfortune is, that those great men, who are wrestling for power at home, think themselves very slightly interested in the prosperity of their country fifty or sixty years hence; but are deeply concerned in blowing up a popular clamour for supposed immediate advantages.

For my part, I regard Great-Britain as a bulwark happily fixed between these colonies and the powerful nations of Europe. That kingdom is our advanced post or fortification, which remaining safe, we under its protection enjoying peace, may diffuse the blessings of religion, science and liberty, through remote wildernesses. It is therefore incontestibly our duty and our interest to support the strength of Great-Britain. When, confiding in that strength, she begins to forget from whence it arose, it will be an easy thing to shew the source. She may readily be reminded of the loud alarm spread among her merchants and tradesmen, by the

I shall be extremely sorry, if any man mistakes my meaning in any thing I have said. Officers employed by the crown, are, while according to the laws they conduct themselves, intitled to legal obedience, and sincere respect. These it is a duty to render them ; and these no good or prudent person will withhold. But when these officers, thro' rashness or design, endeavour to enlarge their authority beyond its due limits, and expect improper concessions to be made to them, from regard for the employments they bear, their attempts should be considered as equal injuries to the crown and people, and should be courageously and constantly opposed. To suffer our ideas to be confounded by names on such occasions, would certainly be an inexcusa-

universal association of these colonies, at the time of the stamp-act, not to import any of her *manufactures*. In the year 1718, the Russians and Swedes entered into an agreement, not to suffer Great-Britain to export any *naval stores* from their dominions, but in Russian or Swedish ships, and at their own prices. Great-Britain was distressed. Pitch and tar rose to three pounds a barrel. At length she thought of getting these articles from the colonies ; and the attempt succeeding, they fell down to fifteen shillings. In the year 1756, Great-Britain was threatened with an invasion. An easterly wind blowing for six weeks, she could not *man* her fleet ; and the whole nation was thrown into the utmost consternation. The wind changed. The American ships arrived. The fleet sailed in ten or fifteen days. There are some other reflections on this subject worthy of the most deliberate attention of the British Parliament ; but they are of such a nature that I do not chuse to mention them publicly. I thought I discharged my duty to my country, by taking the liberty, in the year 1765, while the stamp-act was in suspense, of writing my sentiments to a man of the greatest influence at home, who afterwards distinguished himself by espousing our cause, in the debates concerning the repeal of the act.

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ble weakness, and probably an irremediable error.

We have reason to believe, that several of his majesty's present ministers are good men, and friends to our country; and it seems not unlikely, that by a particular concurrence of events, we have been treated a little more severely than they wished we should be. They might not think it prudent to stem a torrent. But what is the difference to us, whether arbitrary acts take their rise from ministers, or are permitted by them? Ought any point to be allowed to a good * minister, that should be denied to a bad one? The mortality of ministers, is a very frail mortality. A *** may succeed a Shelburne—a *** may succeed a Conway.

We find a new kind of minister lately spoken of at home---“*The minister of the house of commons.*” The term seems to have peculiar propriety when referred to these colonies, with a different meaning annexed to it, from that in which it is taken there. By the word “minister,” we may understand not only a servant of the crown, but a man of influence among the commons, who regard themselves as having a share in the sovereignty over us. The “minister of the house” may, in a point respecting the colonies, be so strong, that the minister of the crown *in* the house, if he is a distinct person, may not chuse, even where his sentiments are favourable to us, to come to a pitched battle upon our account. For tho’ I have the highest opinion of the defe-

* “*Ubi imperium ad ignaros aut minus bonos pervenit; novum illud exemplum, ab dignis et idoneis, ad indignos et non idoneos transfertur.*”

Sall. Bell. Cat. l. 50.

rence

rence of the house for the king's minister, yet he may be so good natured, as not to put it to the test, except it be for the mere and immediate profit of his master or himself.

But whatever kind of minister he is, that attempts to innovate a single iota in the privileges of these colonies, him I hope you will undauntedly oppose; and that you will never suffer yourselves to be either cheated or frightened into any unworthy obsequiousness. On such emergencies you may surely, without presumption, believe that *Almighty God* himself will look down upon your righteous contest with gracious approbation. You will be a "band of brothers," cemented by the dearest ties,---and strengthened with inconceivable supplies of force and constancy, by that sympathetic ardour, which animates good men, confederated in a good cause. Your honour and welfare will be, as they now are, most intimately concerned; and besides---you are assigned by divine providence, in the appointed order of things, the protectors of unborn ages, whose fate depends upon your virtue. Whether they shall arise the generous and indisputable heirs of the richest patrimonies, or the dastardly and hereditary drudges of imperious taskmasters, *you must determine.*

To discharge this double duty to yourselves, and to your posterity, you have nothing to do, but to call forth into use the good sense and spirit of which you are possessed. You have nothing to do, but to conduct your affairs peaceably---prudently---firmly---jointly. By these means you will support the character of free men, without losing that of faithful subjects---
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a good character in any government—one of the best under a British government—You will prove, that Americans have that true magnanimity of soul, that can resent injuries, without falling into rage; and that though your devotion to Great-Britain is the most affectionate, yet you can make *proper distinctions*, and know what you owe to yourselves, as well as to her. You will, at the same time that you advance your interests, advance your reputation—You will convince the world of the justice of your demands, and the purity of your intentions—While all mankind must with unceasing applauses confess *you* indeed *deserve* liberty, who so well understand it, so passionately love it, so temperately enjoy it, and so wisely, bravely, and virtuously assert, maintain, and defend it.

“ *Certe ego libertatem, quæ mihi a parente meo tradita est, experiar; verum id frustra an ob rem faciam, in vestra manu situm est, Quirites.*”

For my part, I am resolved strenuously to contend for the liberty delivered down to me by my ancestors; but whether I shall do it effectually or not, depends on you, my countrymen.

“ How little soever one is able to write, yet when the liberties of one’s country are threatened, it is still more difficult to be silent.”

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